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S. HRG. 101-815

MISCELLANEOUS LEGISLATION RELATING TO THE STATE OF NEW MEXICO

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS, NATIONAL PARKS AND FORESTS

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

S. 1831, S. 2014, S. 2143, S. 2165, S. 2254, S. 2429, S. 2430, and S. 2432

MAY 1, 1990

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S311-53

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CONTENTS

	Page
S. 1831	13
S. 2014	15
S. 2143	22
S. 2165	28
S. 2254	32
S. 2429	37
S. 2430	46
S. 2432	48

STATEMENTS

Bingaman, Hon. Jeff, U.S. Senator from New Mexico	1
Craig, Bruce, cultural resources coordinator, National Parks and Conservation Association	146
Domenici, Hon. Pete V., U.S. Senator from New Mexico	56
Giese, Dr. Dale, professor, Western New Mexico University, Silver City, NM	131
Overbay, James C., Deputy Chief, Forest Service, Department of Agriculture	120
Richardson, Hon. Bill, U.S. Representative from New Mexico	69
Ridenour, James A., Director, National Park Service, Department of the Interior, accompanied by Doug Faris on:	
S. 2254	63
S. 2429	74
S. 2165	82
S. 2430	86
Sease, Debbie, Washington director, Public Lands Program, Sierra Club	138
Skeen, Hon. Joe, U.S. Representative from New Mexico	50
Stepanek, Dean, Deputy Director, Bureau of Land Management, Department of the Interior, accompanied by Larry L. Woodard	98

APPENDIX

Additional material submitted for the record	157

MISCELLANEOUS LEGISLATION RELATING TO THE STATE OF NEW MEXICO

TUESDAY, MAY 1, 1990

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS,
NATIONAL PARKS AND FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:12 p.m., in room SD–366, Dirksen Senate Office Building, Hon. Jeff Bingaman presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

Senator BINGAMAN. Why don't we go ahead? We are starting a little late here because we were in caucus over in the Capitol.

Let me welcome everybody and go through a little bit of an opening statement here. We have a great many bills today.

This is a hearing of the Subcommittee on Public Lands, National Parks, and Forests of the Senate Energy and Natural Resources Committee. I want to thank Senator Bumpers, the Chairman, for agreeing to schedule the hearing. The hearing is to receive testimony on a number of bills that affect my home State of New Mexico. These bills reflect a strong commitment that New Mexicans have to conserving their natural resources and protecting their cultural treasures. I think it is a tribute to New Mexico and its heritage that we are considering bills which recognize some of these cultural and natural resources.

Let me just briefly describe the bills that we are considering today.

S. 2014 is the Chama River Gateway to the Past Interpretation and Visitor Education Act. It provides interpretation and visitor education regarding the cultural heritage in the Chama River region of north central New Mexico. The region has hundreds of prehistoric and historic sites, including the ruins of massive, multistoried pueblos containing over 2,000 rooms. The history of the area is a story of Indian, Hispanic, and Anglo cultures. We will have testimony from both the Forest Service and the BLM on that.

Also, S. 2165, the Glorieta National Battlefield Establishment Act. This would commemorate the Civil War Battle of Glorieta, which was fought in New Mexico. It has been referred to as the Gettysburg of the West. And we have testimony to submit for the

record by Mr. Don Alberts* on behalf of the Glorieta Battlefield Preservation Society, and we have testimony, of course, today at the hearing.

Third is the Pecos National Historical Park. That is S. 2254. It would incorporate the Pecos National Monument surrounding Forked Lightning Ranch into a national historic park. And we have very interesting testimony on that to come in today and also several letters of support that have been presented by Greer Garson Fogelson and by the mayor of the Village of Pecos, by the board of trustees of the Village Pecos, the Jemez Pueblo, the City of Santa Fe, Mr. Grove Burnett, and testimony of the Upper Pecos Association.*

Next we have the Mimbres Cultural National Monument Establishment Act, and this would establish a national monument devoted to the Mimbres culture. The Mimbres sites, of course, in southwestern New Mexico have achieved worldwide recognition and particularly the pottery that was produced there.

We have for the record, letters from the Town of Silver City and the Grant County Commission in support of the legislation, and the report by the National Park Service entitled State of Significance—Study of Alternatives of the Mimbres Culture.*

Next we have S. 2430, which is the amendment to the Zuni-Cibola National Historical Park Establishment Act, and this amendment lengthens the time in which the Secretary of the Interior may accept a leasehold interest which would lead to the establishment of a national historical park.

We have testimony from various people we will include, including a letter supporting the legislation from Mr. Robert Lewis, the governor of the Zuni Tribe and a resolution of support from the Zuni Tribal Council.*

Next is S. 2143, Organ Mountains National Conservation Area Establishment Act, which Congressman Skeen has taken the lead on on the House side. This bill would establish the Organ Mountains National Conservation Area. The cultural, historical, ecological and recreational values of the mountains are unique and deserve special management considerations. This is an issue we will have testimony from Congressman Skeen and several others about.

Next is S. 1831 conveying the Forest Service lands and buildings to the City of Taos. This would transfer the Old Taos Ranger District Office and Warehouse in downtown Taos to the City of Taos for use as a library, and we will have testimony on that as well.

S. 2432 which would allow PILT payments to be made for comanaged lands, in particular those lands within the McGregor Range. We will have testimony on that issue as well. This is in Otero County in our state.

Senator Domenici is a cosponsor of all but one of these bills and is the prime sponsor on one. I am sure he has an opening statement we will include in the record, and we will hear from him directly whenever he arrives.

[The prepared statement of Senator Bingaman and the texts of the bills follow:]

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* See Appendix.

Statement of Senator Jeff Bingaman
Subcommittee on Public Lands, National Parks, and Forests
Hearing for S. 1831, S. 2014, S. 2143, S. 2165, S. 2254,
S. 2429, S. 2430, and S. 2432
May 1, 1990

The purpose of today's hearing is to receive testimony on a number of bills which affect my home state of New Mexico. As you will hear, the New Mexico delegation is solidly behind many of these bills. It is clear that New Mexican's believe in the conservation of their natural resources and the preservation of irreplaceable cultural treasures.

It is a tribute to New Mexico and its heritage that we are considering bills which recognize some of the significant cultural and natural resources in the state. To view the ruins of an ancient pueblo where thousands of people lived, or to stand in the tracks of the Santa Fe trail can stir the imagination.

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

Since we are considering a number of bills, I would like to begin by by briefly describing each of them.

S. 2014 Chama River Gateway to the Past Interpretation and Visitor Education Act of 1990.

S. 2014 would provide interpretation and visitor education regarding the rich cultural heritage of the Chama River Gateway Region of northcentral New Mexico. The region has hunderds of prehistoric and historic sites including the ruins of massive multi-storied pueblos that contain over 2,000 rooms. The history of the area is a story of Indian, Hispanic, and Anglo cultures.

Currently, many cultural sites within the gateway are managed by the Bureau of Land Management and Forest Service. This bill directs the two agencies to work together in developing an Interpretation and Visitor Education Plan. The plan would outline the opportunities for interpretation and visitor education and place priorities on development needs.

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

I am aware there has been some local concern regarding proposed interpretive tour loops. I ask that the Forest Service and Bureau of Land Management be sensitive to the concerns of the residents of the Region and coordinate development of the plan with the public.

I ask that without objection a letters from the New Mexico Archeological Council and the Board of Directors of the Gost RanchLiving Museum in support of S. 2014 be included in the record.

S. 2165 Glorieta National Battlefield Establishment Act of 1990

The Civil War battle of Glorieta was fought in New Mexico. It was a decisive victory for the Union and foiled the Confederate's plan to capture the riches of the West. Historians commonly refer to the Battle of Glorieta as the "Gettysburg of the West". My bill, S. 2165, would establish Glorieta National Battlefield.

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

I am submitting for the record a statement from Mr. Don Alberts on behalf of the Glorieta Battlefield Preservation Society and the Council on America's Military Past. Mr. Alberts believes the battlefield is in imminent danger of being subdivided for use as a residential development and, if developed, an irreplaceable piece of history would be lost for present and future generations.

S. 2254 Pecos National Historical Park

This bill will incorporate the Pecos National Monument and surrounding Forked Lighting Ranch into a National Historical Park. The National Historical Park designation will allow the National Park Service to interpret the historic diversity of the area. The historic diversity is highlighted by prehistoric pueblos; the Spanish trade route including a large mission dating back to the 1600's; prehistoric and historic trade routes for the Plains Indians; portions of the Santa Fe Trail; and the encampment of the Union forces during the Battle of Gloritea.

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

The Forked Lighting Ranch is currently for sale. Many buyers have been interested in development of the ranch. One proposal was to build a planned community with an airport, golf courses, and other facilities. Development would threaten the existing National Monument, the other important historical features and adversely affect the communities of the Pecos Valley. While I recognize the importance of purchasing the ranch, it is my understanding there is opportunity to receive all or a portion of the ranch through donation.

I ask that without objection a letter from Greer Garson Fogelson, testimony from The Upper Pecos Association, and the City of Pecos all supporting this legislation be included in the record.

S.2429 Mimbres Cultural National Monument Establishment Act of 1990

S. 2429 would establish a National Monument devoted to the Mimbres culture. The Mimbres sites were left by a group of people who lived between A.D. 200 and 1150. Today the Mimbres people are remembered for the pubelos and the extensive irrigation systems

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

they built, and for the unique black-on-white pottery they crafted.

A unique feature to this National Monument would be a visitor center located in Silver City. The visitor center would provide interpretation, artifact exhibition, and orientation. The National Park Service would also establish a site protection system, including 18 of the most significant sites. The National Park Service will coordinate with the public and private entities in establishing the protection system.

I ask that without objection letters from the Town of Silver City and the Grant County Commissioners supporting this bill be included in the record.

S. 2430 Amendment to the Zuni Cibola National Historical Park Establishment Act of 1988.

The amendment enlarges the time in which the Secretary of the Interior may accept a leasehold interest which would lead to

establishment of a national historical park. The Act allows for certain portions of the Zuni Reservation to be designated as the Zuni-Cibola National Historical Park. Establishment is dependent on members of the Zuni Tribe offering and the Secretary of Interior accepting a leasehold interest in the land. A leasehold interest has not yet been offered to the Secretary, but members of the Zuni Tribe have ask for an extension to make this offer.

I ask that without objection a letter of supporting the legislation from Mr. Robert Lewis, Governor of the Zuni Tribe, and a resolution supporting the amendment from the Zuni Tribal Council be included in the record.

I have received testimony on all of the bills I have just mentioned from Mr. Thomas Merlan, Director of the State of New Mexico Office of Cultural Affairs Historic Preservation Division. Mr. Merlan summarizes his testimony by saying, "A common thread runs through all of these bills: the conviction that, New Mexico's cultural and historic resources are one of its most important assets. These bills outline a program to preserve and protect irreplaceable resources and to take advantage of them in

ways appropriate to our contemporary economy." I ask that without objection his testimony be included in the record.

S. 2143 Organ Mountains National Conservation Area Establishment Act

This bill would establish the Organ Mountains National Conservation Area. The cultural, historical, ecological, and recreational values of the mountains are unique and deserve special management considerations.

The residents of southern New Mexico and the El Paso, Texas have long recognized the values of the Organ Mountains. Aguirre Springs, Dipping Springs, and La Cueva are just a few of the areas which receive thousands of visitors each year. The objective of this bill is to improve, conserve, and protect these areas for the benefit and enjoyment of future generations.

S. 1831 (Conveys Forest Service Lands and Buildings to Taos)

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

This bill directs the Secretary of Agriculture to convey certain lands to the town of Taos. The town of Taos would use the buildings for a library and other municipal purposes. Currently the city rents space for their library at a cost of $35,000 per year. It is difficult for the Town to pay this level of rent and may close the library in the near future. The historical Taos Ranger District building and associated warehouse would fit the needs of the Town's library.

I ask that without objection a letter from the Mr. Eloy Jeantete, Mayor of Taos, supporting this bill be included in the record.

S. 2432 (Allows PILT payments to be made for co-managed lands)

S. 2432 allows for payments in lieu of taxes to be made for lands co-managed within the McGregor Range which was withdrawn from BLM management for military purposes in 1957. The withdrawal was extended in 1987. As part of the extension, the Secretary of Interior was given three years to develop a multiple-use plan for

STATEMENT OF SENATOR JEFF BINGAMAN
MAY 1, 1990

the area which would lead to management of the area by the Department of the Army and the BLM.

As a result of the multiple use management status of certain lands within the withdrawal area, it seems appropriate to make these lands eligible for payments in lieu of taxes. Although this bill will make the lands eligible, there would be no benefit to Otero County which currently receives the maximum allowable payments.

I ask that without objection a letter supporting this legislation from the Board of County Commissioners, Otero County, New Mexico, be included in the record.

I respectfully ask each witness to summarize your testimony. Your entire written statement will be made part of the hearing record. At this time, I will place copies of all of the bills in the hearing record. The record will remain open for two weeks to receive additional comments and testimony.

II

101ST CONGRESS
1ST SESSION

S. 1831

To direct the Secretary of Agriculture to convey certain lands to the town of Taos, New Mexico.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2 (legislative day, SEPTEMBER 18), 1989

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To direct the Secretary of Agriculture to convey certain lands to the town of Taos, New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF PROPERTY.

Not later than 6 months after the date of enactment of this Act, the Secretary of Agriculture shall convey by quitclaim deed to the town of Taos, New Mexico, on the terms and conditions stated in section 2, all right, title, and interest of the United States in and to the land and improvements thereon described as follows (referred to as the "property"):

That property locally referred to as the 'Old Taos Ranger District Office and Warehouse' located in the town of Taos, Taos County, New Mexico, containing approximately 0.633 acres, specifically described in that certain warranty deed dated January 22, 1937, by William T. and Mary E. Hinde, husband and wife, to the United States, as recorded on January 23, 1937, in book A–34, page 415, of the Record of Deeds of Taos County, New Mexico.

SEC. 2. TERMS AND CONDITIONS.

(a) COMPENSATION.—The conveyance described in section 1 shall be made without compensation.

(b) RELEASE.—On transfer of the property the town of Taos shall release the United States from any liability for claims relating to the property.

(c) REVERSION.—The conveyance described in section 1 shall be a conveyance of fee simple title to the property, subject to reversion to the United States if the property is used for other than public purposes.

○

II

101ST CONGRESS
2D SESSION

S. 2014

To direct the Secretary of Agriculture and the Secretary of the Interior to provide interpretation and visitor education regarding the rich cultural heritage of the Chama River Gateway Region of northern New Mexico.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 1990

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To direct the Secretary of Agriculture and the Secretary of the Interior to provide interpretation and visitor education regarding the rich cultural heritage of the Chama River Gateway Region of northern New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Chama River Gateway to the Past Interpretation and Visitor Education Act of 1990".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the Chama River Gateway Region, including the Chama River and its tributaries stretching from El Vado Lake on the north, to the Rio Grande on the south, to the Rio Gallina on the west and to the Rio Vallecitos and Rio Ojo Caliente on the east, is known for its striking landscapes and scenic beauty;

(2) the Rio Chama River, a segment of which has been designated as a wild river in section 3(a)(108) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(108)), is located within the Chama River Gateway Region;

(3) few visitors are aware that people have lived in the Chama River Gateway Region for the past 12,000 years;

(4) hundreds of prehistoric and historic properties exist on public lands managed by the Bureau of Land Management, the United States Army Corps of Engineers and the Forest Service that reflect the Chama River Gateway Region's Indian, Hispanic, and Anglo heritages;

(5) many prehistoric cultural properties in the Chama River Gateway Region are potentially nationally significant, especially the 2,000-room prehistoric villages that are among the largest in the Southwest;

(6) the Chama River Gateway Region includes many historic cultural properties that reflect northern New Mexico's Hispanic heritage, including the earliest Spanish settlement in the State and the remains of later homesteads and villages;

(7) only one of these prehistoric and historic properties is currently interpreted for the public;

(8) the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966, commonly known as the "National Historic Preservation Act" (16 U.S.C. 470 et seq.), directs that federally owned prehistoric and historic properties be administered in a spirit of stewardship for the inspiration and benefit of present and future generations;

(9) the Forest Service's "National Recreation Strategy" and the Bureau of Land Management's "Recreation 2000" initiatives both foster increased opportunities for public recreation and interpretation of cultural resources;

(10) development of interpretation and visitor education programs in the Chama River Gateway Region will enhance tourism and economic growth in rural northern New Mexico; and

(11) interpretation of the prehistoric and historic properties of the Chama River Gateway Region will enhance public understanding, appreciation, and protection of our Nation's cultural heritage and will open a "Gateway to the Past" for visitors and residents alike.

SEC. 3. INTERPRETATION AND VISITOR EDUCATION.

(a) PROGRAM.—The Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to as the "Secretaries"), shall cooperatively develop and implement a program of interpretation and visitor education regarding the prehistoric and historic resources within the area generally referred to as the Chama River Gateway Region (referred to as the "Region"), north of Santa Fe, New Mexico.

(b) PLANNING.—(1) The Secretaries shall locate and identify the historic and cultural resources of the Region that are available and suitable for interpretation and education for the Region's visitors.

(2) Not later than 12 months after the date of enactment of this Act, the Secretaries shall develop an Interpretation and Visitor Education Plan (referred to as the "Plan") for the Region describing and prioritizing opportunities for interpretation and visitor education regarding the prehistoric and historic resources identified pursuant to paragraph (1).

(3) The Plan shall consider a diverse range of opportunities for such interpretation and education, including—

(A) guided and self-guided tours for automobiles, hikers, and rafters;

(B) interpretive centers and displays;

(C) audio-visual presentations;

(D) demonstrations; and

(E) signs, exhibits, and brochures.

(4) The Plan shall be updated periodically.

(5) The Secretaries shall develop, for the cultural resource properties managed by the Bureau of Land Management and the Forest Service in the Region, uniform policies and consistent procedures for—

(A) compliance with the National Historic Preservation Act;

(B) issuance of permits pursuant to the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) consultation with Indian, Hispanic, and other local residents and communities;

(D) visitor center development;

(E) on-site interpretation;

(F) publications; and

(G) patrol and monitoring.

(c) IMPLEMENTATION.—(1) The Secretaries shall—

(A) develop and periodically update a long range strategy for implementation of the Plan;

(B) not later than 2 years after the date of enactment of this Act, establish, designate, and sign tour routes (identified in the Plan) consisting of interconnected interpretive loops, which may be modified from time to time as determined in the periodic updates of the Plan;

(C) direct interpretive and visitor education efforts initially toward properties, especially those accessible by public road or trail, managed by the Bureau of Land Management or the Forest Service;

(D) publish and periodically update a brochure describing the interpretive and educational opportunities in the Region that are available to the public;

(E) consult with and enter into cooperative agreements with other Federal agencies, State and local agencies, Indian tribes, Hispanic groups, individuals, organizations, and other interested parties to carry out this Act; and

(F) develop a long range strategy for completion of needed inventory, evaluation, nomination, protection, and interpretation of significant cultural resource properties on Bureau of Land Management and National Forest System lands in the Region.

(2) The Secretary of Agriculture shall develop, maintain, and operate, in cooperation with other Federal agencies and other public and private entities, a portion of the Ghost Ranch Living Museum as a "Gateway to the Past" visitor center to provide information, orientation, interpretation, and education regarding the prehistoric and historic resources of the Region.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

○

II

101ST CONGRESS
2D SESSION

S. 2143

To establish the Organ Mountains National Conservation Area in the State of New Mexico and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 20 (legislative day, JANUARY 23), 1990

Mr. DOMENICI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To establish the Organ Mountains National Conservation Area in the State of New Mexico and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Organ Mountains National Conservation Area Establishment Act".

SEC. 2. ORGAN MOUNTAINS NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT.—In order to improve, conserve, and protect for the benefit and enjoyment of future generations that area in southern New Mexico containing the Aguirre Springs Recreation Area, Dripping Springs, La

Cueva, and other unique and nationally important ecological, cultural, scenic, scientific, and recreational resources of the public lands in the Organ and Franklin Mountains, there is hereby established the Organ Mountains National Conservation Area (hereafter in this Act referred to as the "conservation area"). The conservation area shall consist of approximately 58,560 acres, as generally depicted on a map entitled "Organ Mountains National Conservation Area" and dated February 1989.

(b) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereafter in this Act referred to as the "Secretary") shall file a map and legal description of the conservation area with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives. Such map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in such legal description. The map and legal description shall be on file and available for public inspection in the office of the New Mexico State Director of the Bureau of Land Management, Department of the Interior.

SEC. 3. MANAGEMENT.

(a) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the conservation area to improve, conserve, and protect the resources mentioned in section 2 in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable provisions of law, including those provisions relating to grazing on public lands.

(b) HUNTING AND TRAPPING.—The Secretary shall permit hunting and trapping within the conservation area in accordance with applicable laws and regulations of the United States and the State of New Mexico; except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may issue regulations designating zones where, and establishing periods, when no hunting or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

(c) GRAZING.—Within the conservation area, the grazing of livestock shall be permitted to continue pursuant to applicable Federal law, including this Act, and subject to such reasonable regulations, policies, and practices as the Secretary deems necessary.

(d) WITHDRAWAL.—Subject to valid existing rights, the lands within the conservation area are withdrawn from the operation of the general mining laws.

SEC. 4. ACQUISITIONS.

(a) IN GENERAL.—Within the conservation area, the Secretary is authorized to acquire from a willing landowner lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer and may acquire lands from any other Federal agency. Lands or interests therein owned by the State of New Mexico or a political subdivison thereof may be acquired under this section only by exchange. It is the sense of Congress that the Secretary should complete the acquisition of all surface and non-Federal subsurface interests underlying the conservation area no later than 4 years after the date of enactment of this Act.

(b) EXCHANGE.—All exchanges pursuant to this Act shall be made in a manner consistent with applicable provisions of law, including this Act and shall be on the basis of equal value, except that if the parties agree to an exchange and the Secretary determines it is in the public interest, such exchange may be made for other than equal value. Either party to an exchange under subsection (a) may pay or accept cash in order to equalize the value of the property exchanged.

SEC. 5. MANAGEMENT PLAN.

The Organ Mountains Coordinated Resource Management Plan, April 1989, Bureau of Land Management, shall be the management plan governing uses within the conservation area. Such plan may be revised or amended at the dis-

cretion of the Secretary. The plan shall be reviewed with full public participation within 5 years after the date of enactment of this Act.

SEC. 6. COOPERATIVE MANAGEMENT.

(a) IN GENERAL.—The Department of the Army and the Department of the Interior shall enter into a cooperative agreement relating to the joint use, management, and protection of scenic, cultural, and natural values within the conservation area. The agreement shall provide for public recreation access to that portion of Fort Bliss lying west of the topographic crest of the Organ Mountains and for military use with no public access to those Bureau of Land Management-administered lands lying east of the topographic crest of the Organ Mountains and west of Fort Bliss.

(b) MANAGEMENT RESPONSIBILITY.—Management of those lands within the conservation area west of the topographic crest of the Organ Mountains shall be the responsibility of the Secretary of the Interior. Management of those lands within the conservation area lying east of the topographic crest of the Organ Mountains and west of Fort Bliss shall be the responsibility of the Secretary of the Army.

(c) REMOVAL OF UNEXPLODED ORDINANCE.—Prior to implementation of this agreement the Army shall, through record search and on-site investigation, as necessary, identify

and remove potentially dangerous unexploded ordinance from within the conservation area.

(d) COMPLETION DATE.—The cooperative agreement shall be completed within the 2-year period beginning on the date of enactment of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

○

101ST CONGRESS
2D SESSION

S. 2165

To establish the Glorieta National Battlefield in the State of New Mexico.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To establish the Glorieta National Battlefield in the State of New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Glorieta National Battlefield Establishment Act of 1990".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress makes the following findings:

(1) The March 26–28, 1862 Civil War battle of Glorieta Pass, New Mexico was the decisive battle of the Civil War in the Far West, which has prompted

some historians to label it the "Gettysburg of the West". The consequences of the battle were far reaching.

(2) Following the Confederate defeat at Glorieta Pass, the Confederate grand design to capture the riches and support of the West collapsed as the Confederate forces withdrew from New Mexico and the Rocky Mountains. Except for fighting in eastern Kansas, the Civil War in the West ended at Glorieta Pass.

(3) Although many have made proposals for Government protection of the battlefield sites, the area has not been protected and is subject to a variety of impacts and threats to the integrity of this historic scene.

(b) PURPOSE.—It is the purpose of this Act to recognize the national significance of the Battle of Glorieta and its importance in our Nation's history, and to provide for the preservation and interpretation of the battlefield by establishing the Glorieta National Battlefield.

SEC. 3. ESTABLISHMENT OF THE NATIONAL BATTLEFIELD.

In order to preserve for the benefit and enjoyment of present and future generations, that area in New Mexico known as the Glorieta Battlefield, is hereby established as the Glorieta National Battlefield (referred to as the "national battlefield"). The national battlefield shall include the Pi-

geon's Ranch and Johnson's Ranch Units comprising approximately seven hundred and fifty-three acres as generally depicted on the map entitled "Glorieta National Battlefield", numbered GLNB–80, 0OOB and dated February 1990.

SEC. 4. ACQUISITION OF LAND WITHIN THE GLORIETA NATIONAL BATTLEFIELD.

(a) IN GENERAL.—The Secretary is authorized to acquire lands, waters, and interest therein within the boundaries of the Glorieta National Battlefield as identified in section 3 of this Act by donation, purchase with donated or appropriated funds, or exchange.

(b) LIMITS ON CONDEMNATION.—The Secretary's authority to acquire lands through condemnation under subsection (a) is limited to the 121 acres included in the core area of the Pigeon's Ranch Unit. The remaining lands within the boundary of the national battlefield shall be acquired from willing sellers.

(c) TRANSFER.—The 33 acres within the Pigeon's Ranch Unit administered by the United States Forest Service is hereby transferred to the management of the National Park Service to be managed according to the purposes of section 5.

SEC. 5. ADMINISTRATION OF THE PARK.

The Secretary shall administer the national battlefield in accordance with the provisions of this Act and the provisions

of law generally applicable to the administration of units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–7).

SEC. 6. GENERAL MANAGEMENT.

Within two fiscal years from the date funding is made available for the purposes of preparing a general management plan for the national battlefield, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, a general management plan for the national battlefield consistent with the purposes of this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this Act.

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II

101ST CONGRESS
2D SESSION

S. 2254

To establish the Pecos National Historical Park in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 8 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To establish the Pecos National Historical Park in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pecos National Historical Park Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) lands surrounding the existing Pecos National Monument known as the Forked Lightning Ranch are

critical to the preservation of resource values of the national monument;

(2) because the Forked Lightning Ranch is for sale, the Federal Government can no longer depend on the outstanding stewardship provided by its owners for the protection of the resources on the ranch and concern for the future of the national monument;

(3) the Forked Lightning Ranch surrounding the national monument contains nationally significant prehistoric and historic resources important to the heritage of New Mexico and our Nation;

(4) there is widespread interest in protecting the integrity of the national monument and the resources of the adjacent Forked Lightning Ranch; and

(5) the Forked Lightning Ranch is part of the old Pecos Land Grant, and it—

(A) includes extensive archeological sites relating to the purposes for which Pecos National Monument was established;

(B) includes excellent examples of ruts of the Santa Fe Trail and features that had a key role in the story of the Santa Fe Trail; and

(C) was the location for Union Army actions during the 1862 Civil War Battle of Glorieta.

(b) PURPOSE.—The purposes of this Act are—

(1) to recognize the multitheme history of the Pecos area and its "gateway" role between the Great Plains and the Rio Grande Valley; and

(2) to provide for the preservation and interpretation of the cultural and natural resources of the Forked Lightning Ranch by establishing the Pecos National Historical Park.

SEC. 3. ESTABLISHMENT OF THE PECOS NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—In order to preserve, for the benefit and enjoyment of present and future generations, the area in New Mexico known as the Forked Lightning Ranch surrounding the existing Pecos National Monument, there is established the Pecos National Historical Park (referred to as the "park").

(b) AREA INCLUDED.—The park shall consist of approximately 5,865 acres of the lands and interests in land generally depicted on the map entitled "Boundary Map—Pecos National Historical Park", numbered 430/80027 and dated February 1990. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (referred to as the "Secretary") may from time to time make minor revisions in the boundary of the park in accordance

with section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–9).

(c) ABOLITION OF MONUMENT.—The Act entitled "An Act to authorize the establishment of Pecos National Monument in the State of New Mexico, and for other purposes" approved June 28, 1965 (79 Stat. 195), is repealed, and any funds available for purposes of the Pecos National Monument shall be available for purposes of the park.

SEC. 4. ACQUISITION OF LAND WITHIN PECOS NATIONAL HISTORICAL PARK.

The Secretary may acquire lands, waters, and interest therein within the boundaries of the park by donation, purchase with donated or appropriated funds, or exchange.

SEC. 5. ADMINISTRATION OF THE PARK.

The Secretary shall administer the park in accordance with this Act and with the law generally applicable to the administration of units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

SEC. 6. GENERAL MANAGEMENT PLAN.

Within 3 full fiscal years after the date that funding is made available for the purposes of preparing a general management plan, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of

the House of Representatives, a general management plan for the park consistent with the purposes of this Act, including—

(1) a general visitor use and interpretive program that fully considers the prehistoric and historic aspects of the national historical park, including the "gateway theme" and early Spanish settlement of New Mexico;

(2) a statement on the number of visitors and types of public uses within the park that can be reasonably accommodated in accordance with the protection of its resources; and

(3) a general development plan for the park, including the estimated cost of development.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

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II

101ST CONGRESS
2D SESSION

S. 2429

To establish the Mimbres Culture National Monument and to establish an archeological protection system for Mimbres sites in the State of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To establish the Mimbres Culture National Monument and to establish an archeological protection system for Mimbres sites in the State of New Mexico, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mimbres Culture National Monument Establishment Act of 1990".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the Mimbres people were the most significant expression of the Mogollon culture, 1 of the 3 great prehistoric civilizations of the American Southwest;

(2) the Silver City, New Mexico area, including the Mimbres and Gila River valleys, contains numerous Mimbres sites;

(3) some of the Mimbres pueblos built during the classic phase of that culture in the 11th century are among the largest in the Southwestern United States;

(4) the Mimbres people developed sophisticated canal irrigation technology prior to the Anasazi culture;

(5) the Mimbres culture is epitomized by distinctive and strikingly painted black-on-white pottery that is recognized as the consummation of several formal, pictorial, and iconographic prehistoric traditions in the American Southwest;

(6) Mimbres pottery is internationally known and is probably the single most famous prehistoric American art style;

(7) many Mimbres sites have been vandalized or destroyed, and remaining sites are threatened by further vandalism and illegal pot-hunting;

(8) development of interpretive and visitor education programs will help protect Mimbres sites and en-

hance public understanding and appreciation of our Nation's cultural heritage;

(9) the National Park System has no unit established for the specific purpose of protecting, preserving, and interpreting the Mimbres culture; and

(10) in light of the national significance of the Mimbres sites and the urgent need to protect the valuable Mimbres cultural resource properties from vandalism and destruction, it is appropriate that a national monument be established in New Mexico.

(b) PURPOSE.—The purposes of this Act are—

(1) to recognize the nationally significant cultural resource properties associated with the prehistoric Mimbres culture in southwestern New Mexico;

(2) to provide for the protection and interpretation of Mimbres resources for the benefit and enjoyment of present and future generations;

(3) to facilitate research activities associated with Mimbres resources; and

(4) to encourage governmental and private sector protection actions.

SEC. 3. ESTABLISHMENT OF THE MIMBRES CULTURE NATIONAL MONUMENT.

(a) ESTABLISHED.—There is established in the State of New Mexico the Mimbres Culture National Monument

(referred to as the "monument") as a unit of the National Park System, consisting of approximately _____ acres, including the Cameron Creek, Maddock, TJ Ruin, and Woodrow Units, as generally depicted on the map entitled "Mimbres Culture National Monument", numbered _____ and dated _____ 1990, which shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in appropriate offices of the National Park Service in the State of New Mexico.

(b) ACQUISITION OF LANDS.—Within the boundaries of the monument, the Secretary of the Interior (referred to as the "Secretary") may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(c) VISITOR CENTER.—The Secretary shall establish a visitor center and administrative headquarters for the monument in Silver City, New Mexico, and may acquire, through donation, purchase with donated or appropriated funds, or exchange, up to 10 acres of land in Silver City for that purpose.

(d) BOUNDARY ADJUSTMENTS.—The Secretary may from time to time make minor adjustments to the boundary by publication of a revised map or other boundary description in the Federal Register.

SEC. 4. ADMINISTRATION OF THE MONUMENT.

(a) IN GENERAL.—The Secretary shall administer, manage, and protect the monument in accordance with this Act and the law generally applicable to the administration of units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–7) and in such manner as to preserve, for the benefit and enjoyment of present and future generations, its cultural and natural resources, and to provide for interpretation of and research on those resources.

(b) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with Western New Mexico University for the purposes of establishing a curatorial operation for the care and maintenance of Mimbres cultural materials. The curation operation shall be the responsibility of Western New Mexico University, with funding assistance from the Secretary under the cooperative agreement.

SEC. 5. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date funding is made available for the purposes of preparing a general management plan, the Secretary shall develop and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a general management plan for

the monument consistent with the purposes of this Act, including—

(1) a statement of the number of visitors and types of public use within the monument that can be reasonably accommodated consistently with the protection of its resources;

(2) a general development plan for the monument and a description of facilities needed to accommodate public use, including estimates of cost thereof;

(3) an interpretive program for units of the monument and the Silver City visitor center, including a means of dissemination of information on the Masau Trail;

(4) a long-range strategy for completion of needed research, inventory, evaluation, nomination, and protection of cultural resource properties of the monument; and

(5) an outline of the coordination with Federal and State agencies and other entities and proposed cooperative agreements that will be undertaken to ensure that proper actions will be taken to accomplish the purposes of the monument, including the specific arrangements and cost thereof to be included in a cooperative agreement for curation with Western New Mexico University.

SEC. 6. MIMBRES CULTURE ARCHEOLOGICAL SITE PROTECTION SYSTEM.

(a) ESTABLISHMENT.—(1) To foster the protection, interpretation, research, and integration of information about the Mimbres Culture, there is established the Mimbres Archeological Site Protection System (referred to as the "system"), as generally depicted on a map numbered _____ and dated _____ 1990.

(2) The 18 archeological sites included in the system are—

(A) In the Mimbres Valley the following:

(i) Black Mountain.

(ii) Cottonwood.

(iii) Faywood.

(iv) Gatton Park.

(v) Janss.

(vi) Lake Roberts.

(vii) NAN Ranch.

(viii) Old Town.

(ix) Pony Hills.

(B) In the Silver City Area the following:

(i) Pine Flat.

(ii) Treasure Hill.

(C) In the Gila Valley the following:

(i) Fort West/Lee Village.

(ii) Kwilleylekia.

(iii) Red Rock Cemetery.

(iv) Red Rock Pithouse.

(v) Winn Canyon.

(vi) WS Ranch.

(D) In the Rio Grande Valley, the Rio Vista.

(b) DIRECTOR.—The Mimbres Archeological Site Protection System shall be under the general direction of the Secretary, acting through the Director of the National Park Service. The Secretary, along with other entities, shall administer the system in a manner that will protect and preserve the cultural resources and provide for interpretation and research.

(c) PLAN.—Not later than 3 years after the date funding is made available, the Secretary shall transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a comprehensive plan for the management, protection, research, and interpretation of the system. The plan shall include detailed maps of each site and shall indicate the acreage to be protected.

(d) ADVISOR COMMITTEE.—The Secretary shall form an advisory committee, composed of Federal and State government agency representatives, and other interested parties to provide guidance in the preparation of the comprehensive plan and its implementation.

(e) COOPERATIVE AGREEMENTS.—(1) The Secretary of the Interior and the Secretary of Agriculture may enter into cooperative agreements with other Federal, State, and local agencies, foundations, private landowners, and others for the purposes of system management, protection, research, and interpretation.

(2) Federal funds may be expended on non-Federal sites through cooperative agreements described in program (1) for the purposes of the section.

(f) RESERVE.—The Secretary shall undertake research to locate additional Mimbres sites on Federal lands in New Mexico and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representative, not later than 3 years after the date funding is made available for the purposes of this subsection, a report that provides recommendations for additions to or deletions from the list of archeological protection sites in subsection (a)(2).

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

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II

101ST CONGRESS
2D SESSION

S. 2430

To amend the Zuni-Cibola National Historical Park Establishment Act of 1988 to enlarge the time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park.

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To amend the Zuni-Cibola National Historical Park Establishment Act of 1988 to enlarge the time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ENLARGEMENT OF TIME.

The Zuni-Cibola National Historical Park Establishment Act of 1988 (16 U.S.C. 410pp et seq.) is amended—

(1) in section 2(c)—

(A) by striking "24 months" and inserting "6 years"; and

(B) by striking "24-month" and inserting "6-year"; and

(2) in section 3(a) by striking "18 months" and inserting "5½ years".

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II

101ST CONGRESS
2D SESSION

S. 2432

To provide for payments in lieu of taxes to be made with respect to certain lands co-managed by the Bureau of Land Management and the Secretary of the Army.

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, JANUARY 23), 1990

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To provide for payments in lieu of taxes to be made with respect to certain lands co-managed by the Bureau of Land Management and the Secretary of the Army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PAYMENTS IN LIEU OF TAXES WITH RESPECT TO THE McGREGOR RANGE.

The McGregor Range, described in section 1(d)(2) of the Military Lands Withdrawal Act of 1986 (100 Stat. 3458), which is co-managed by the Secretary of the Interior through the Bureau of Land Management under an agreement with the Secretary of the Army, shall be deemed to be land that the Secretary of the Interior administers through the Bureau

of Land Management for the purposes of section 6901(1)(B) of title 31, United States Code.

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Senator BINGAMAN. At this point, let me call on Congressman Skeen for his testimony, and we appreciate him being here very much. I understand Congressman Richardson is en route, and when he arrives, we will of course hear from him

STATEMENT OF HON. JOE SKEEN, U.S. REPRESENTATIVE FROM NEW MEXICO

Mr. SKEEN. Mr. Chairman, thank you very much for this opportunity to be here. Of course, I have a very avid interest in all of the bills that you have talked about, but particularly this one, Senate Bill 2143, which is the Organ Mountains National Conservation Area bill that has been introduced on the Senate side. I am the sponsor of the bill on the House side. And I also have a very avid interest in the Mimbres National Monument, and I was told that I should mention something about that by a friend of yours by the name of Mitch. So, we have that plug in.

Rather than go through this and read this statement, which is a very fine statement and a fine piece of work by myself and my staff, particularly staff, I would like to abstract this because I know your time is short and you have got a lot of ground to cover today.

Let me start off by saying that probably one of the most unique areas in the United States is the Organ Mountains near Las Cruces. And I think that what we are trying to do here today represents one of the better cooperative efforts between those of a pure environmental nature and a practical nature as well.

Las Cruces is one of the largest and fastest growing areas in the State of New Mexico, a state that is very sparsely settled by some standards throughout the United States. And this unique area is very close to that population development, and I think that it behooves us who know the area and have admired it to do all we can to protect it. And I think that the course that we have chosen with this legislation does exactly that, provides this kind of protection and management. And I think the key word here is "management" because with over 150,000 visitors a year at Organ Mountain facilities, I think it essential that we have management because there are a lot of relics. There's a lot of ecological wonders present here. It is a relatively small area, some 58,000 or so acres, involved in this entire conservation area. And if it is not managed this close to a population area, I think we would have irreparable damage done to a place that otherwise could provide a great deal of enjoyment to people who want to not only protect the environment, but to be part of it and to visit it, to picnic in it, to walk through it, to do all the things that people enjoy doing that do appreciate the environment.

So, having said that, I think that what we have got here is a means of accomplishing this kind of a management aegis, but we are not precluding the inclusion of this kind of an area in a wilderness area. That may happen sometime in the future. So, I want to make that very clear because there has been some concern that this crown jewel, one of the environmental wonders that we have in our state, would be precluded from—if we gave this the status of a national conservation area, it would preclude it from being included in part of the wilderness system sometime in the future.

That is not so, and we do not intend for it to be that way. But we do want to provide the protection that was absolutely essential in protecting this wonderful spectacle that we in New Mexico have always enjoyed.

The management plan, I think, has been worked out by the Bureau of Land Management over a long period of time that is specific to this particular area. And it is comprehensive, and I think very accomplished. As a matter of fact, BLM has already initiated a good program of management in this particular area, and I want to give them every kind of kudos for the kind of work that they have done and the foresight that they have exhibited this area and in managing this great resource and adding to it. I think that it has been outstanding work by an agency that is charged by us to provide this kind of leadership and management ability.

There is a problem, or has been a problem, with the military. As you are well aware of, and other people may not be, we have extensive military ranges just to the east of this particular area, one of them being Fort Bliss, whose area comes up to the crest of the mountain and over to the west side, some 3,000 acres, that causes some kind of a problem in trying to work out a cooperative management between the military and the Bureau of Land Management.

And encompassed in these bills is an idea that they could work out a cooperative agreement for the management of those lands. Everybody being as turf conscious as they are in many agencies, I can understand that the military does not want to lose part of their range, and they do not want to go through the problems attendant to transferring pieces of property. Doing the WIPP land withdrawal has taught us enough about that already.

But I would say this that the spirit of cooperation has improved tremendously of late, and I think that it is entirely do-able. And this particular hitch in the program I think will work out very smoothly because there is a spirit of cooperation, and I think the military is very interested in the fact that they could become part of a land management program entered into with the Bureau of Land Management.

These are the comprehensive and the major tenets of what we had to say, and we of course support and hope that by your example of what you have done on this committee, that it will provide a good example for the House to have early hearings on the companion bill in the House and we can get this work done in an expeditious manner.

So, once again, I appreciate very much the opportunity to be here, to talk about this facility. I have a great deal of respect for what we have in New Mexico and how we preserve it insofar as environmental protection for some of the most spectacular scenery and ecologically significant areas that we have. And I am pleased to be a part of this.

I also want to again reiterate that I think it is a fine example of what can happen when people who are environmentally interested are also interested in practical applications of how you take care of that environment. You can't just do it by excluding everyone. It won't work because we have become more populated, but it does take good understanding, good cooperation and good management.

And I think that this is incorporated in this bill and it is a good example. And I thank you very much for this opportunity.

[The prepared statement of Mr. Skeen follows:]

STATEMENT OF THE
HONORABLE JOE SKEEN

BEFORE THE
SENATE SUBCOMMITTEE ON
PUBLIC LANDS, NATIONAL PARKS AND FORESTS

ON S. 2143
THE ORGAN MOUNTAINS NATIONAL CONSERVATION
ESTABLISHMENT ACT

TUESDAY, MAY 1, 1990

Mr. Chairman, I want to thank the Subcommittee for allowing me the opportunity to testify today on legislation that is important to the people of New Mexico. Because of its importance, I will limit my remarks to Senate Bill 2143 that has been introduced by my colleague, Senator Domenici. I have introduced similar legislation in the House that would create a National Conservation Area on 58,000 acres of land in the Organ Mountains in southern New Mexico.

For those of you who have not had the opportunity to visit the Organ Mountains, let me say they are one of the most spectacular mountain ranges in the country. The jagged peaks of the Organs rise more than 5,000 feet above the City of Las Cruces to form one of the most distinctive backdrops you can imagine.

These mountains are rich in ecological, cultural and recreational resources. They warrant special protection and recognition for what the mountains offer to us all. I believe the creation of a national conservation area is the appropriate means of accomplishing this goal.

Many folks in New Mexico have asked if this is the right time to consider this legislation. The answer is a simple one. Of course it's time.

The pressures being placed on the varied resources found in the Organ Mountains grows everyday. An NCA designation would allow for additional protection and management of those resources.

An estimated 150,000 visitors went to the Organs in the past year and this figure will only increase in the future. These folks participate in a variety of activities, from hiking, camping, and picnicking, to bird watching, exploring caves, or just experiencing the phenomenal vistas from high in the mountains.

The Organs are rightfully called the jewel of southern New Mexico's natural resources. Consequently, it should be expected that the public would want to visit and enjoy these mountains.

The question then becomes how do we properly manage this land? I believe the answer is to adopt a management plan that enhances, preserves and protects the resources while ensuring the public can enjoy those resources. Such a management plan is included in the legislation we are discussing today.

The Bureau of Land Management has spent more than twenty years studying the Organs. Last April, after a thorough comprehensive public process, BLM published its decision record on a Coordinated Resource Management Plan for the Organs. Senate Bill 2143 adopts this document as the master plan governing how the Organs are to managed as a National Conservation Area.

This plan establishes the means to protect threatened and endangered species; improve wildlife habitat; protect and manage cultural resources; improve livestock management; and improve recreational opportunities.

The legislation also requires the U.S. Army and BLM to work together on establishing a reasonable boundary on approximately 3,600 acres of Army property. This property lies to the west of the crest of the mountains. It makes sense to allow public access to this area. It will not interfere with the Army's mission as Ft. Bliss.

While the Army has in the past opposed such an agreement, it is my understanding that the Army in now actively working with the BLM to address this matter. Clearly attitudes are changing on this issue.

The support for this legislation seems to grow every day. The Dona Ana County Commission, the Las Cruces City Council, the Las Cruces Chamber of Commerce and the Greater Las Cruces Economic Development Council have all passed resolutions supporting the creation of a National Conservation Area. Even the BLM Las Cruces District Advisory Board, which is chaired by the environmentalist serving on the Board, unanimously supports NCA status for the Organs.

I believe this clearly shows the broad support for this effort among the folks who live in the shadows of the Organ Mountains.

During the past three years, the New Mexico Congressional Delegation has discussed at length a BLM statewide wilderness bill. We all recognize that a wilderness area will one day be designated in the Organs. This legislation is no way prevents this from happening.

Enactment of this legislation will provide the national recognition the Organs deserve. It will provide the support needed to enact a management plan that is reasonable and responsible. It will ensure the fabulous resources found in the Organs will be enhanced, preserved and protected for future generations to enjoy.

I urge this Subcommittee to give its approval to this important legislation.

Again, I appreciate you providing me the opportunity to appear before you this afternoon. I will be happy to answer any questions you may have.

Senator BINGAMAN. Thank you very much, and thank you for all the leadership you are showing on the House side in helping move these bills along.

Let me see if Senator Domenici has any questions to put to you at this point, and if not, we'll let you get back to your work.

Mr. SKEEN. I want to commend the Senator for his sponsorship on this side and the work he does. It is good to work with both of you because I think you do outstanding work for the State of New Mexico.

Senator DOMENICI. Mr. Chairman, first, I do not have any questions. That would relieve Representative Skeen so he could go. I would have brief opening remarks and I would indicate in the record why I was late.

Senator BINGAMAN. All right.

Senator DOMENICI. I just want to thank you for your work on this particular measure, and I am glad we are having a hearing on it, and I thank you very much.

Mr. SKEEN. Thank you very much, Senator.

And may I ask too that the full statement, this wonderful piece of work that we have done here, be entered in the record. And I do not want it to go unnoticed and unappreciated. [Laughter.]

Senator BINGAMAN. It will go in the record in full.

Mr. SKEEN. Since John is sitting right behind me here who had done an awful lot of work on this thing, and I would appreciate it being entered in full.

I would be very interested in hearing the Senator's reasons for why he was late because he is always late. But we appreciate him anyway. [Laughter.]

Senator BINGAMAN. We will include your full statement without question. We will dismiss you at this point if you need to get back to the House.

And, Senator Domenici, go ahead with any opening statement you have before we call the other witnesses.

STATEMENT OF HON. PETE V. DOMENICI, U.S. SENATOR FROM NEW MEXICO

Senator DOMENICI. Well, I do not have anyone named John, but somebody else worked very hard. [Laughter.]

So, I better put this full statement in first.

Senator BINGAMAN. All right. The full statement will be included in the record.

Senator DOMENICI. And then I just want to comment, Mr. Chairman, that I am pleased we are having a hearing on numerous bills. Most of them you introduced, and most of them I have cosponsored. I hope we can get our work done so that we can get them reported out.

In particular I did introduce the bill for the Organ Mountains. I think it is very important that we do what we can to preserve things of beauty and attractiveness and use such as the Organ Mountains. But I also think that we from time to time have an opportunity to make them more available to people and yet preserve their good qualities. And I think that's what we are trying to do. And I have described that in a little detail. We have about 800,000

people in the surrounding area, including the El Paso area, who I believe deserve an opportunity to share in this in a manner that will preserve it, but yet permit them to use it.

One of the most interesting parts of my married life with our eight children was to get in an old Ford station wagon and drive up the Sandia Mountains because that is about all we could afford. But there was an interesting little picnic ground up there which we are going to try to fix so many more people can continue to enjoy it. There are some who would like to close it off. It appears to me that if you have an opportunity to keep what you've got, protect it, you ought to make it available to people to use in a reasonable manner. And I think that is kind of what the conservation concepts are in the Organ Mountains. And I hope we can get that one done and all other bills that you have introduced here.

Thank you very much, Mr. Chairman.

[The prepared statement of Senator Domenici follows:]

STATEMENT OF SENATOR PETE V. DOMENICI

ON

NEW MEXICO PARKS, FORESTS, AND PUBLIC LANDS BILLS

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

MAY 1, 1990

Mr. Chairman, New Mexico is a State of magnificent natural beauty. New Mexicans have a special appreciation of the land. Perhaps because so much of our livelihood is derived from the land, we have been wise stewards of our natural heritage. It is a tribute to the people of New Mexico that so many want to preserve the resources of the State so that future generations can enjoy the New Mexico that we know and love today.

During my time here in the Senate, I have been involved in preserving almost 1 million acres throughout New Mexico as wilderness, in designating El Malpais National Monument and Chaco Culture National Historical Park in New Mexico, and in protecting several of New Mexico's waterways as Wild and Scenic Rivers.

I'm pleased to have had the opportunity to help protect and preserve the environment of New Mexico. Much has been done, yet more needs to be done.

I am pleased that the Subcommittee today is holding a hearing on a number of bills that would protect some of the unique natural, historical, and cultural resources of New Mexico, including the Organ Mountains National Conservation Area Establishment Act (S. 2143) and the Pecos National Historical Park Act (S. 2254).

THE ORGAN MOUNTAINS NATIONAL CONSERVATION AREA ESTABLISHMENT ACT

Mr. Chairman, the Organ Mountains National Conservation Area Establishment Act, S. 2143, which I introduced, will allow the people of southern New Mexico to continue to enjoy the Organ Mountains through the creation of the Organ Mountains National Conservation Area (NCA).

The jagged Organ Mountains loom over the City of Las Cruces in southern New Mexico. Many of the estimated 800,000 residents of Las Cruces and nearby El Paso, Texas have enjoyed the natural and recreational resources of the Organ Mountains and the adjacent Franklin Mountains. Currently, approximately 150,000 people visit this area each year to camp, hike, and picnic and to enjoy its rich diversity of scenery, wildlife, vegetation, and archaeological resources.

The Organ Mountains NCA would be managed by the Bureau of Land Management (BLM) and would encompass 58,560 acres in the Organ and Franklin Mountains. 51,000 acres of these lands are already in Federal ownership. Some of these lands are White Sands Missile Range lands, and BLM would enter into a management agreement with the Department of Defense for

these lands. The Secretary is also authorized to acquire the remaining private lands within the NCA on a willing seller basis only.

Grazing, hunting, trapping, and mineral leasing would be permitted, but no new hardrock mining would be allowed.

No wilderness would be designated under this bill. Such a designation would await the New Mexico BLM wilderness bill, which the New Mexico Congressional Delegation continues to work on.

This legislation follows the enactment in 1988 of legislation that I authored that exchanged BLM land at "A" Mountain in Las Cruces for land owned by New Mexico State University at Aguirre Springs in the Organ Mountains. One of the stated purposes of that legislation was to consolidate BLM lands in the Organ Mountains for the eventual creation of the Organ Mountains NCA.

The Organ Mountains NCA will be the second NCA in New Mexico. In 1987, I authored the legislation that created El Malpais National Conservation Area near Grants. The proposed Organ Mountains NCA is based on El Malpais NCA, and just as thousands have already enjoyed the natural and recreational resources of El Malpais, many people would benefit from the creation of the Organ Mountains NCA.

THE PECOS NATIONAL HISTORICAL PARK ACT

Mr. Chairman, the Pecos National Historical Park Act (S. 2254), which I am pleased to cosponsor, will replace the existing Pecos National Monument with an expanded unit of the National Park System.

Pecos National Monument, located in the Upper Pecos Basin in northern New Mexico, was originally designated in 1965 and currently encompasses 365 acres. It contains the ruins of the ancient Pueblo of Pecos and the remains of two Spanish missions, one built in the 17th Century and the other built in the 18th Century.

Recently, a proposal surfaced to subdivide and develop some of the land surrounding the National Monument in the Upper Pecos Basin. The residents of the area were very concerned about this proposal and the effect it would have on the monument and surrounding lands in the Upper Pecos Basin. As a result of local opposition, the development proposal was dropped.

Mr. Chairman, the people of New Mexico have spoken. They want Pecos National Monument and the Upper Pecos Basin protected. The Upper Pecos Basin is a classic example of the

mixing of cultures that makes New Mexico so unique. It was the site of important events in the Native American, Hispanic, and Anglo history of of New Mexico. I am pleased that the legislation before you would protect the historic resources of Pecos National Monument and the Upper Pecos Basin.

The Pecos National Historical Park Act would abolish Pecos National Monument and establish in its place the "Pecos National Historical Park." The new park would consist of of 5,865 acres. The lands to be added to the park by this bill contain sites associated with Native American history and prehistory, Spanish colonization, the Santa Fe Trail, and the Civil War Battle of Glorieta.

This legislation is a logical extension of legislation that I included in the El Malpais Act of 1987, Public Law 100-225. The El Malpais Act permits individuals to donate land for incorporation into Pecos National Monument.

Although the National Park Service already has authority to expand the National Monument under the provision that I included in the El Malpais Act, this bill authorizes lands to be added to the park through purchase, donation, or exchange.

The lands that would be added to the park by this bill are currently owned by Greer Garson Fogelson. Mrs. Fogelson, along with her late husband Buddy Fogelson, has been a most generous benefactor of many projects in the State of New Mexico. In fact, the Fogelson's donated the majority of the land contained in the current National Monument and donated half the funds to construct the visitors center at the monument. I am not overstating the case when I say that, without the generosity of the Fogelsons, Pecos National Monument would not be the the high-quality unit of the National Park Service that it is today.

It is my strong hope that those interested in seeing additional lands at Pecos protected will acquire Mrs. Fogelson's lands and then donate them to the National Park Service pursuant to the provision that I included in the El Malpais Act. I understand that the potential for conservation buyers purchasing the land and donating it to the National Park Service is good.

Mr. Chairman, even though the bill would permit the National Park Service to purchase the land for the park, donation of the land should be the preferred option and it is my expectation that the land will be donated as provided for in the El Malpais legislation.

Mr. Chairman, I am also concerned that the bill would permit the National Park Service to condemn Mrs. Fogelson's land. I do not think that the Federal Government should

condemn this land, especially in light of the great generosity of the Fogelsons. Therefore, I encourage the Committee to amend the bill to assure that the purchase of this land would be on a willing seller basis only.

OTHER MEASURES

Mr. Chairman, I would also like to address several of the other bills that are before the Subcommittee today and of which I am a cosponsor.

S. 1831 would direct the Secretary of Agriculture to transfer a Forest Service building complex to the Town of Taos for use as town offices and a town library.

S. 2014 would direct the Secretaries of Agriculture and Interior to provide interpretation and visitor education regarding the rich and diverse cultural heritage of the Chama River Gateway Region of northern New Mexico.

The Mimbres Culture National Monument Establishment Act (S. 2429) would create a 4-unit National Monument and an associated Mimbres Culture Archaeological Protection Site System in southwestern New Mexico to interpret the Mimbres Culture, which was part of one of the three great pre-Columbian civilizations of the American Southwest.

S. 2430 would extend the time for the National Park Service and Zuni Pueblo to agree to the terms of a lease to establish the Zuni-Cibola National Historical Park.

S. 2432 would authorize Payments in Lieu of Taxes to be made for lands withdrawn for use as McGregor Range in Otero County, New Mexico.

Mr. Chairman, I look forward to hearing the testimony on these bills today, and I hope the Committee will act on them quickly.

Senator BINGAMAN. Thank you very much.

We have two additional panels here today. The first panel is representatives from the agencies most directly affected here, and maybe they could come forward at this time. James Ridenour, who is the Director of the National Park Service here, and he is accompanied by Doug Faris, who is the Associate Regional Director for Planning and Development with the National Park Service at the Southwest Regional Office in Santa Fe. Dean Stepanek, who is the Deputy Director of the BLM, is here, and James Overbay, who is the Deputy Chief of the Forest Service. If they would all go ahead and testify.

Mr. Ridenour, why don't you go ahead first, and we will just take you in the order that I went through here.

Mr. RIDENOUR. Mr. Chairman, which bill did you call first?

Senator BINGAMAN. Why don't you just go through them in whatever order you want. We will try to keep track.

Mr. RIDENOUR. We will start with Pecos then.

Senator BINGAMAN. That's fine.

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 2254, ACCOMPANIED BY DOUG FARIS, ASSOCIATE REGIONAL DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, SOUTHWEST REGIONAL OFFICE, SANTA FE, NM

Mr. RIDENOUR. The Department of the Interior supports enactment of S. 2254 and the expansion of the existing Pecos National Monument into Pecos National Historical Park. Through such action, the National Park Service would have the capability to acquire 5,500 acres of the adjacent Forked Lightning Ranch and expand protection, interpretation and recreation programs associated with Pecos National Monument.

The current monument includes approximately 365 acres surrounded by the Forked Lightning Ranch. This ranch is currently for sale, and potential buyers have indicated that they would propose major development on the ranch adjacent to the national monument.

Although the ranch is composed of areas within the Old Pecos land grant and the Los Trigos land grant, the National Park Service is primarily concerned with the 5,500 acres currently owned by Ms. Greer Garson Fogelson that directly surround the national monument.

We are concerned about the Service's capability to provide adequate protection of the small monument and protect the outstanding scenic, cultural and natural resource values on the adjacent ranch. The monument is sited on a high hill and views from the monument include almost all of the Forked Lightning Ranch.

The Service undertook studies of the ranch in 1983 and 1984 to determine the importance of the cultural and natural resources on the Forked Lightning Ranch when the Fogelson's indicated that they might be interested in donating some of the land to the Federal Government.

There are many archaeological resources on the adjacent lands and the sites represent the remains of people living in the valley

both contemporaneously with the Pueblo and the mission and preceding it by many centuries.

The story of early land tenure and land grants is important at Pecos. As the population of Pecos declined, pressures on the Pecos land grant intensified by Spanish citizens desiring to use the land. The conflict of land ownership rights between Indians, Hispanics and Anglo cultures was a major problem throughout the American southwest, and this story can be told at Pecos effectively.

The Pecos Valley Gateway served for commerce and war during the prehistoric and historic periods. French used the pass for trade during the early 1700s. Spanish policy emphasized the need for retention of the Pecos Pueblo for the defense of Santa Fe. The arrival in the Pecos Basin of the packtrain of William Becknell in 1821 sparked a trading stampede between Missouri and Santa Fe along the route that became known as the Santa Fe Trail. The Forked Lightning Ranch includes excellent examples of Santa Fe Trail wagon ruts and associated features.

The ranch includes important resources with good ecological diversity and riparian habitat along a large natural flowing river. Very little year-round riparian habitat is preserved by the National Park Service in New Mexico. These lands provide excellent recreational potential for a region experiencing rapid increases in tourism and demand for access to land, much of which is inaccessible to the public.

Protection of scenic values is a major consideration. Most of the area within the Forked Lightning Ranch is viewable from the Pecos Pueblo. Land use changes and developments would result in significant impacts on the visitor experience at Pecos. Development of the land would also result in direct impacts to the many archaeological and historical resources on the ranch.

The existing small national monument is easily impacted by adjacent influences. While the Federal Government has the authority to accept donations of adjacent lands, we do not have the legislative authority to purchase lands.

If the Pecos National Historic Park were constituted as authorized, the estimated cost to the Park Service of acquiring the 5,500 acres and associated improvements would be approximately $5.5 million. Funds for this purpose would compete with other land acquisition priorities in the normal budget process utilizing the administration's land acquisition criteria.

Thank you very much, Mr. Chairman. That is our Pecos testimony.

[The prepared statement of Mr. Ridenour on S. 2254 follows:]

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S.2254, A BILL TO ESTABLISH THE PECOS NATIONAL HISTORICAL PARK IN THE STATE OF NEW MEXICO.

May 1, 1990

Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with information on the bill to establish the Pecos National Historical Park in New Mexico.

The Department of the Interior supports enactment of S.2254, and the expansion of the existing Pecos National Monument into Pecos National Historical Park. Through such action, the National Park Service would have the capability to acquire 5,500 acres of the adjacent Forked Lightning Ranch and expand protection, interpretation, and recreation programs associated with Pecos National Monument.

The National Park Service has long been concerned with protection of Pecos National Monument. The current monument includes approximately 365 acres surrounded by the Forked Lightning Ranch. This ranch, owned by the late Mr. E.E. Fogelson and Greer Garson Fogelson, has been managed so as to protect the resource values of the national monument. The ranch is currently for sale and potential buyers have indicated that they would propose major development on the ranch and adjacent to the national monument.

Although the ranch is composed of areas within the Old Pecos Land Grant and the Los Trigos Land Grant, the National Park Service is primarily concerned with the 5,500 acres currently owned by Ms. Greer Garson Fogelson that directly surrounds the national monument.

We are concerned about the Service's capability to provide adequate protection of the small monument and protect the outstanding scenic, cultural and natural resource values on the adjacent ranch. The monument is sited on a high hill and views from the monument include almost all of the Forked Lightning Ranch.

The Service undertook studies of the ranch in 1983 and 1984 to determine the importance of the cultural and natural resources on the Forked Lightning Ranch when the Fogelson's indicated that they might be interested in donating some of the land to the Federal Government.

The lands surrounding Pecos National Monument include many cultural resources of importance. The monument was established to commemorate the Great Pueblo of Cicuye (or Pecos) and the Spanish Missions built nearby. There are many archeological resources on the adjacent lands and the sites represent the remains of people living in the valley both contemporaneously with the Pueblo and Mission, and preceding it by many centuries and millennia.

The archeology of the Pecos area includes extensive Aboriginal and Spanish remains. There are many known and projected sites on the lands surrounding Pecos National Monument. The primary contribution of the archeological resources in the Pecos vicinity is their collective capability to reveal land use patterns and alternations through time. Pecos was a highly eclectic area, with successive population waves funneling through the valley. The Paleo-Indians, Archaic People, Pithouse Dwellers, Puebloans, Apaches, and Spaniards are among the groups who have left their marks in the form of remaining archeological sites.

The upper Pecos Basin forms a broad pass through the Sangre De Cristo Mountains. Similar to the impacts of the Cumberland and South passes on American History, the Pecos Basin molded the prehistory and history of the people of the southwest. This natural "gateway" allowed communication and trade between the Great Plains on the east and fertile valleys of the Rio Grande on the west.

The story of early land tenure and land grants is important at Pecos. As the population of Pecos declined, pressures on the Pecos Land Grant intensified by Spanish citizens desiring to use the land. While the Pecos Pueblo populace effectively opposed settlement for several decades, in the 18th century, the land battles intensified. In 1794, the first grant of land to Hispanics on the Pecos River was established at Miguel Del Vado, 20 miles downstream from Pecos Pueblo. In 1813 Hispanics began to push for land within the Pecos Land Grant. Pressures

intensified quickly. In 1838, the Pecos Indians finally abandoned the pueblo, and resettled mostly at Jemez Pueblo. The conflict of land ownership rights between Indians, Hispanic, and Anglo Cultures was a major problem throughout the American southwest and this story can be told at Pecos effectively.

The Pecos Valley Gateway served well for commerce and war during the prehistoric and historic periods. French used the pass for trade during the early 1700s. Spanish policy emphasized the need for retention of Pecos Pueblo for the defense of Santa Fe. The arrival in the Pecos Basin of the packtrain of William Becknell in 1821 sparked a trading stampede between Missouri and Santa Fe along the route that became known as the Santa Fe Trail. The Forked Lightning Ranch includes excellent examples of Santa Fe Trail wagon ruts and associated features.

In 1862 the ranch played a major role in the American Civil War in the far west. The Santa Fe Trail became a military road. Confederate and Union forces met in nearby Glorieta pass in a battle that dashed the Confederate's strategy for acquiring the riches of Colorado and the west. Kozlowski's ranch, a stage stop and store on the Santa Fe Trail, served as the headquarters for the Union Army. Historians think that portions of Kozlowski's trading post were later incorporated into the buildings that are currently used as the operational headquarters for the Forked Lightning Ranch.

Later, between 1870 and 1880, the Atchison, Topeka and Santa Fe Railroad followed the trail through the basin, and use of the Santa Fe Trail rapidly diminished. Later major roads and interstate highways were developed all following the ancient trade routes from the plains through the Pecos Valley to the Rio Grande Valley.

The ranch includes important natural resources with good ecological diversity and riparian habitat along a large natural flowing river. Very little year-round riparian habitat is preserved by the National Park Service in New Mexico. These lands provide excellent recreational potential for a region experiencing rapid increases in tourism and demand for access to land much of which is inaccessible to the general public.

Protection of scenic values is a major consideration. Most of the area within the Forked Lightning Ranch is viewable from the Pecos Pueblo. Land use changes and developments would result in significant impacts on the visitor experience at Pecos. Development of the land also would result in direct impacts to the many archeological and historic resources on the ranch.

The existing small national monument is easily impacted by adjacent influences and changes. While the Federal Government has the authority to accept donations of adjacent lands, we do not have the legislative authority to purchase lands.

If the Pecos National Historical Park were constituted as authorized by S.2254, the estimated cost to the National Park Service of acquiring the 5,500 acres and associated improvements would be approximately $5.5 million. Funds for this purpose would compete with other land acquisition priorities in the normal budget process, utilizing the Administration's land acquisition criteria.

This concludes my prepare remarks, Mr. Chairman. I will be pleased to respond to any questions you may have.

Senator BINGAMAN. Before you do any additional statements, let me call on Congressman Richardson who has come in. And I know he is on a short schedule of trying to get back to his duties in the House. If he would come forward. He has been a strong supporter of these pieces of legislation on the House side and had introduced various of them there. This is a chance for him to tell the Senate why we ought to go ahead and pass them on this side. Congressman Richardson, we are pleased to have you here.

STATEMENT OF HON. BILL RICHARDSON, U.S. REPRESENTATIVE FROM NEW MEXICO

Mr. RICHARDSON. Thank you, Mr. Chairman, and my colleague, Senator Domenici.

Let me ask for purposes of brevity, Mr. Chairman, to insert my full statement in the record.

Senator BINGAMAN. We will certainly do that.

Mr. RICHARDSON. And I know that I have, unfortunately, arrived at a time that is not convenience for the other witnesses. So, I will be very brief.

Mr. Chairman, first I support the legislation both of you have introduced on the Taos library transferring the authority of the Old Taos Ranger District and Warehouse to the Town of Taos from the Forest Service, the Secretary of Agriculture.

I support the Chama River Gateway. I would only ask, Mr. Chairman, that we need, all of us, to do a little better job of discussing this issue with some of the local residents, and I think the BLM is already doing this—the Forest Service and the BLM—to develop this program of interpretation and visitor education in the Chama River Valley. I think it is a good bill, but there was a little bit of confusion up there last time I had a town meeting. But I think it is good legislation, and I would just urge that we spend a little more time talking to some of the people there.

Glorieta Battlefield. I appreciate both of you cosponsoring and introducing the legislation here in the Senate. Hopefully you will move too and we will move rapidly. I think this is important legislation to our state.

I also appreciate supporting the Pecos National Historical Park and introducing the bills in the Senate. We have made the modifications that deal with the sale to accommodate the interests of the Park Service, and both of you and I think everybody is better off for this legislation.

On New Zuni-Cibola, Mr. Chairman, I support your effort to I guess give this issue a little more time to see if we can include an additional time period to work the differences out within the Zuni Tribe on this park.

The other pieces of legislation, Mr. Chairman, that you are discussing today that involve the State of New Mexico, I think you can most assuredly expect my support. I am just discussing the ones that I have been involved with you on.

So, with that, Mr. Chairman, I know that this is an important hearing, and I want to commend both of you and Congressman Skeen——

I do not know if I missed him. But again so that you can continue the real work of the hearing, I will gladly depart.

[The prepared statement of Mr. Richardson follows:]

CONGRESSMAN BILL RICHARDSON
SUBCOMMITTEE ON PUBLIC LANDS,
NATIONAL PARKS, AND FORESTS
MAY 1, 1990

Mr. Chairman,

Thank you for this opportunity to testify before your committee on several bills important to New Mexico.

I would like to express my support for S. 1831, legislation that would direct the Secretary of Agriculture to transfer the Old Taos Ranger District Office and Warehouse to the Town of Taos for use as a public library.

The Forest Service vacated the District Office in 1979 because of a lack of space. For several years local officials have expressed an interest in obtaining the old district office and converting it into a public library. This is especially important since the town may be forced to close its present public library because of the high lease costs. The District Office is also of historical significance to Taos and it has been placed on the Historical Preservation Record.

S. 1831 would simply transfer the District Office to the Town of Taos to use as a library for the good of the public. I urge my colleagues to support this legislation.

The Chama River Gateway Region is one of most fascinating hidden treasures in northern New Mexico. There are hundreds of prehistoric and historic landmarks in the area that are of national significance. Scenic landscapes in the area are unmatched. Anyone who visits the area would surely be fascinated by the mystery of the past and the scenic beauty of the present.

In the past, I have worked with the Congress to successfully designate a segment of the Rio Chama River, located within the Chama River Gateway Region, as wild and scenic. I have now joined with Senator Bingaman and introduced legislation to establish the "Chama River Gateway", a series of interpretive trails and a visitor center that would allow visitors to experience the rich cultural heritage of the Chama River Valley Region.

The legislation directs the Forest Service and the Bureau of Land Management, to develop a program of interpretation and visitor education so that the rich cultural heritage of the Chama River Valley is available to all. The concept of a "gateway to the past" visitor center where visitors can learn about the cultural resources and pose questions about the past is a key component of the development program. I urge my colleagues to support this legislation and provide a valuable historic resource for our nation.

Mr, Chairman, in May of each year thousands of dedicated Civil War enthusiasts and a broad range of interested observers travel to Glorieta, New Mexico to witness a reenactment of the "Battle of Glorieta", the decisive battle of the Civil War in the Far West.

The Battle of Glorieta, often called the "Gettysburg of the West", occurred on March 28, 1862, at Glorieta Pass in northern New Mexico. Approximately 1,000 Texas Confederate troops engaged in a pitched battle against Union troops at Pigeon's Ranch on Glorieta Creek. The Confederates hoped to take Fort Union, a major Union supply point, and the last Union stronghold before Colorado. Although the Confederate forces eventually won the battle, the Union forces destroyed the Confederate supply train which was left six miles back at Johnson's Ranch. This forced the Confederates to retreat down the Rio Grande back to Texas. The Battle of Glorieta prevented the expansion of the Confederacy into the rich mining fields of Colorado and California. Except for fighting in eastern Kansas, the Civil War in the West ended at Glorieta Pass.

I have joined Senator Bingaman in sponsoring legislation that would authorize the National Park Service to acquire approximately 753 acres of the Glorieta Battlefield including the Pigeon's Ranch and Johnson's Ranch, by donation, exchange or purchase. The Secretary's authority to acquire lands through condemnation would be limited to the 121 acres included in the core of the Pigeon's Ranch.

Most of the residents in the area I have described are already willing to sell or exchange their lands. The Battlefield will be an important addition to the nation's public park system. I urge my colleagues to support this legislation so that the Glorieta Battlefield may be preserved for the enjoyment of future generations.

I have also joined Senators Bingaman and Domenici in sponsoring legislation to establish the "Pecos National Historical Park." The House Subcommittee on Parks and Public Lands recently held hearings on this legislation and I expect further action soon.

New Mexico, The Land of Enchantment, is known for its scenic beauty, cultural heritage, and vast lands. These inherent qualities are typified in Pecos, New Mexico, a small town just outside of Santa Fe. One of the town's most attractive sites is the Pecos National Monument where visitors can gain a wealth of Spanish and Indian history. Strategically situated on top of a small mesa lie ancient Spanish and Indian ruins dated as far back as 1450. Here, the Pecos Pueblo and the Spanish Mission once overlooked the main gateway between the Great Plains and the Rio Grande valley where an annual cycle of trade evolved.

Adjacent to the Monument is the Forked Lightning ranch owned by actress Greer Garson Fogelson. The ranch is currently for sale on the open market and has attracted quite a bit of attention. Earlier this year developers proposed to purchase the ranch and establish a resort city entitled "Santa Fe East 2001". The resort would include an airstrip, a resort hotel, residential housing, a multi-national shopping center, an athletic center, a convention center, a private hunting preserve, a health clinic, a shooting range, and two golf courses.

As you can imagine the development plans sent a shock wave throughout northern New Mexico. Such development is unheard of in Pecos and threatens to destroy its very heritage. Immediately after learning of the development plans, residents of Pecos held a town meeting attended by over 400 people. A resolution was passed unanimously to oppose the development. Fortunately, Mrs. Fogelson decided against selling to these developers but her lands are still for sale. Mrs. Fogelson has, however, expressed an interest in selling to the Federal Government. Certainly, these handsome lands have values above and beyond development.

S. 2254 and H.R. 4235 would authorize the establishment of the "Pecos National Historical Park". The legislation would encompass the existing Pecos National Monument and approximately 5,865 acres of the Forked Lightning Ranch and establish the Pecos National Historical Park. I expect that most of the land included in this legislation will be acquired through donations or easements. I plan to facilitate donations so that Federal expenditures are minimized.

The National Park Service has long maintained that the Forked Lightning lands surrounding the Pecos National Monument are critical to the preservation of the national monument. The many prehistoric and historic resources located on the Forked Lightning Ranch would add significantly to the park. The ranch also contains many excellent examples of ruts from the Santa Fe Trail and historical locations from the 1862 Civil War Battle of Glorieta. The establishment of the Pecos Historical National Park is a natural extension of the Pecos National Monument and would preserve many historically significant sites for future generations to enjoy. I urge my colleagues to support this legislation.

Finally, I strongly support S. 2430, legislation to amend the Zuni-Cibola National Historical Park Establishment Act of 1988. Senator Bingaman and I worked on this issue together during the 100th Congress. In accordance with the Act, the Zuni Tribe must make an offering, and the Secretary of Interior must accept a leasehold interest in the land in order to establish the park. The Act terminates if the Secretary does not accept a leasehold within two years of establishment of the Act.

Mr. Chairman, the two year deadline is rapidly approaching and many issues remain to be resolved before an agreement can be reached. S. 2430 would simply extend the time in which the Secretary must accept a leasehold interest in the land. Such an extension will give members of the Zuni Tribe adequate time to consider all of the issues involved with the park. I urge my colleagues to support this legislation.

Senator BINGAMAN. Well, thank you very much. We appreciate your hard work on these bills.

Senator Domenici, did you have any questions of the Congressman?

Senator DOMENICI. No. I just want to thank you for your consideration today of our hearing and of the witnesses and for your support of most of these measures and for what you have done on the House side. And we will do everything we can on this side. Thank you very much.

Mr. RICHARDSON. Thank you.

Senator BINGAMAN. In order to be sure that we have sort of a clear presentation of the issues, why don't we have any other of the witnesses that have any comment on the Pecos bill at this point——

Does anybody have a comment on it?

[No response.]

Senator BINGAMAN. I do not see any. All right.

Did you have other pieces of legislation that you want to give us the Park Service position on?

Mr. RIDENOUR. Yes, I will be glad to do that. I will say this, that Doug Faris, who you mentioned in your opening remarks, has done an outstanding job. And I would just say that as for any maps that you want to refer to anywhere along the line, I think we have something that you can use.

Senator BINGAMAN. All right.

Mr. RIDENOUR. I will switch now to Mimbres.

Senator BINGAMAN. All right.

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 2429, ACCOMPANIED BY DOUG FARIS, ASSOCIATE REGIONAL DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, SOUTHWEST REGIONAL OFFICE, SANTA FE, NM

Mr. RIDENOUR. On Mimbres, the Department of the Interior recommends that action be deferred until the Administration completes development of its new park criteria and until this new park unit can be subjected to such criteria.

I have outlined much of our remarks. I wanted to say that Doug Faris and Judy Hart both have done an outstanding job of putting them together. The Park Service generally is supportive of Mimbres as a unit of national significance. I will say that we in the Administration are in the process of working to establish new unit criteria, both for studies and acquisitions. The recommendation that you have there, that I started off with, is a result of that particular action taking place within the Administration right now.

I could go through much of this. It is available and it is in the record. Sir, I would just tell you that that is our position and say that the Park Service has looked at this area very closely. I think they have done an excellent job with the study and are supportive of it as a national unit.

[The prepared statement of Mr. Ridenour on S. 2429 follows:]

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 2429, A BILL TO ESTABLISH THE MIMBRES CULTURE NATIONAL MONUMENT.

May 1, 1990

MR. CHAIRMAN, I APPRECIATE THIS OPPORTUNITY TO PROVIDE YOUR SUBCOMMITTEE WITH COMMENTS ON S.2429 TO ESTABLISH A MIMBRES CULTURE NATIONAL MONUMENT AND ARCHEOLOGICAL SITE PROTECTION SYSTEM.

THE DEPARTMENT OF THE INTERIOR RECOMMENDS THAT ACTION ON S. 2429 BE DEFERRED UNTIL THE ADMINISTRATION COMPLETES DEVELOPMENT OF ITS NEW PARK CRITERIA, AND UNTIL THIS PROPOSED NEW PARK UNIT CAN BE SUBJECTED TO SUCH CRITERIA.

THE PROPOSED LEGISLATION INCLUDES FOUR MIMBRES ARCHEOLOGICAL SITES WITHIN A MIMBRES CULTURE NATIONAL MONUMENT. THESE SITES HAVE GOOD VISITOR USE AND/OR RESEARCH POTENTIAL AND ARE AVAILABLE FOR ACQUISITION OR DONATION. THE FOUR SITES INCLUDE CAMERON CREEK, MATTOCKS RANCH, T.J. RUIN, AND THE WOODROW UNIT.

THE TJ RUIN IS ALREADY ADMINISTERED BY THE FEDERAL GOVERNMENT AS A PART OF GILA CLIFF DWELLINGS NATIONAL MONUMENT. IT IS A DETACHED AREA OF THE MONUMENT, APPROXIMATELY 3 MILES FROM THE CLIFF DWELLINGS. IT IS PRESENTLY OPEN TO THE PUBLIC ONLY ON A GUIDED TOUR BASIS. THIS IS THE LARGEST KNOWN REMAINING INTACT MIMBRES SITE, AND IS EXTREMELY IMPORTANT IN TERMS OF RESEARCH POTENTIAL. S.2429 WOULD REMOVE THIS SITE FROM GILA CLIFF DWELLINGS NATIONAL MONUMENT AND INCLUDE IT IN THE PROPOSED MIMBRES CULTURE NATIONAL MONUMENT.

THE LEGISLATION PROPOSES A VISITOR CENTER/MONUMENT HEADQUARTERS IN SILVER CITY WHICH WOULD PROVIDE PUBLIC SERVICES, AND ACCESSIBLE FACILITIES INCLUDING HOUSING FOR NATIONAL PARK SERVICE STAFF. BECAUSE THE FOUR PROPOSED MONUMENT SITES ARE GEOGRAPHICALLY DISPERSED AROUND THE SILVER CITY AREA, A CENTRAL FACILITY IN SILVER CITY IS A SOUND APPROACH. THIS APPROACH HAS BEEN USED FOR SALINAS PUEBLO MISSIONS NATIONAL MONUMENT IN MOUNTAINAIRE, NEW MEXICO WITH GOOD SUCCESS. A

CENTRAL VISITOR FACILITY WOULD ALSO PROVIDE A GOOD LOCATION FOR INFORMATIONAL MATERIAL ON THE MASAU TRAIL WHICH WILL FOLLOW EXISTING PUBLIC ROADS THROUGH SILVER CITY TO THE GILA CLIFF DWELLINGS NATIONAL MONUMENT.

S.2429 DIRECTS THE NATIONAL PARK SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH WESTERN NEW MEXICO UNIVERSITY IN SILVER CITY TO ESTABLISH A CURATORIAL FACILITY FOR MIMBRES CULTURAL MATERIALS. THE NATIONAL PARK SERVICE IS NOT INTERESTED IN MANAGING ADDITIONAL MAJOR CURATORIAL FACILITIES, BUT VIEWS A COOPERATIVE ARRANGEMENT WITH WESTERN NEW MEXICO UNIVERSITY A REASONABLE APPROACH TO MANAGING COLLECTIONS OF MIMBRES CULTURAL MATERIALS. WE ASSUME THAT THE UNIVERSITY WOULD HAVE DIRECT RESPONSIBILITY FOR THE MANAGEMENT OF THE ARTIFACTS AND FACILITY AND THAT THE NATIONAL PARK SERVICE WOULD PROVIDE TECHNICAL ASSISTANCE AND LIMITED FUNDING THROUGH A COOPERATIVE ARRANGEMENT WITH THE UNIVERSITY.

THE LEGISLATION PROPOSES FOUR SEPARATE CULTURAL RESOURCE SITES, FOR A TOTAL OF 1,514 ACRES. CURRENTLY 373 ACRES ARE PART OF GILA CLIFF DWELLINGS NATIONAL MONUMENT, AND PRIVATE LAND TOTALS 1,106 ACRES. THE STATE WILL DONATE 24 ACRES TO THE UNITED STATES, AND 11 ACRES OF STATE OWNED LAND WILL BE MANAGED THROUGH COOPERATIVE AGREEMENT WITH THE STATE. THE TOTAL COST FOR LAND ACQUISITION AND IMPROVEMENTS IS ESTIMATED AT $2,589,000. ACQUISITION OR LEASE COST FOR THE SILVER CITY VISITOR CENTER IS UNKNOWN BECAUSE NO SPECIFIC SITE HAS BEEN IDENTIFIED AS THE PREFERRED LOCATION.

BASED UPON SIMILAR UNITS OF THE NATIONAL PARK SYSTEM, WE ESTIMATE THAT OPERATION OF A MIMBRES CULTURE NATIONAL MONUMENT WOULD COST APPROXIMATELY $250,000 FOR THE FIRST 3 YEARS, WITH POTENTIAL FOR $400,000 TO $700,000 ANNUALLY THEREAFTER, DEPENDING UPON FACILITIES DEVELOPMENT AND INTERPRETIVE PROGRAMS OFFERED. WITH DEVELOPMENT OF FACILITIES, A STAFF OF 15-20 PERMANENT EMPLOYEES AND 6-8 SEASONALS COULD BE NEFEDED. A GENERAL MANAGEMENT AND DEVELOPMENT CONCEPT PLAN IS REQUIRED IF THE MONUMENT IS AUTHORIZED. THE NATIONAL PARK SERVICE ESTIMATES THAT FACILITY DEVELOPMENTS THAT WILL BE REQUIRED TO SUPPORT OPERATIONAL NEEDS COULD RANGE FROM $6 MILLION-$8 MILLION OVER A 10-YEAR PERIOD.

S.2429 ALSO PROPOSES THE ESTABLISHMENT OF A MIMBRES CULTURE ARCHEOLOGICAL SITE PROTECTION SYSTEM CONSISTING OF 18 SITES THAT ARE CURRENTLY IN FEDERAL, STATE, FOUNDATION, AND PRIVATE OWNERSHIP. THE PURPOSE OF THIS SYSTEM WOULD BE CULTURAL RESOURCE PROTECTION, SCIENTIFIC RESEARCH AND INTERPRETATION.

THE NATIONAL PARK SERVICE BELIEVES THAT THE ESTABLISHMENT OF A SITES PROTECTION SYSTEM IS A SOUND APPROACH TO PRESERVATION OF MIMBRES CULTURE RESOURCES. FIVE OF THE ELEVEN SITES IN FEDERAL OWNERSHIP ARE MANAGED BY THE BUREAU OF LAND MANAGEMENT. ANOTHER FIVE ARE UNDER FOREST SERVICE ADMINISTRATION. SUBSECTION 6(b) OF THE BILL CALLS FOR MANAGEMENT "UNDER THE GENERAL DIRECTION OF THE SECRETARY ACTING THROUGH THE NATIONAL PARK SERVICE." WE BELIEVE MANGEMENT WOULD BE MORE CLEARLY AND APPROPRIATELY DEFINED BY SPECIFICALLY PROVIDING FOR CONTINUED MANAGEMENT OF THESE FEDERALLY OWNED SITES BY BLM AND FOREST SERVICE UNDER THEIR RESPECTIVE COMPREHENSIVE MANAGEMENT AUTHORITIES AND OTHER APPLICABLE LAW. THE DIRECTION IN SUBSECTION 6(b) TO MANAGE THE SITES IN A MANNER TO PROTECT AND PRESERVE THE CULTURAL RESOURCES AND PROVIDE FOR INTERPRETATION AND RESEARCH WOULD, OF COURSE, COVER THESE AGENCIES. SECTION 6(b) COULD BE INTERPRETED TO DIRECT FEDERAL MANAGEMENT OF PRIVATE PROPERTY. WE DO NOT BELIEVE IT IS APPROPRIATE TO DIRECT MANAGEMENT OF NON-FEDERAL PROPERTY. THE SECRETARY'S ROLE WITH REGARD TO NON-FEDERAL PROPERTY OWNERS IS BASED ON ADVICE, COOPERATION, COORDINATION AND MUTUAL BENEFIT.

SINCE SEVERAL MANAGERS, FEDERAL AND NON-FEDERAL, ARE INVOLVED IN THE PLANNING REQUIREMENT IN SUBSECTION 6(c), THE SECTION SHOULD PROVIDE FOR COOPERATION AND COORDINATION WITH THOSE ENTITIES IN DEVELOPMENT OF THE PLAN. BLM AND FOREST SERVICE, AS WELL AS NON-FEDERAL OWNERS, WOULD THEN RECEIVE THE BENEFIT OF NPS EXPERTISE AND GUIDANCE THROUGH THE ADVISORY AND COOPERATIVE MECHANISMS UNDER SUBSECTIONS 6(c),(d) AND (e).

WE RECOMMEND THAT THE PROPOSED ADVISORY COMMITTEE BE ESTABLISHED THROUGH A COOPERATIVE AGREEMENT BETWEEN VARIOUS AGENCIES AND PRIVATE OWNERS AND NOT BE SUBJECT TO THE FORMAL REQUIREMENTS OF THE FEDERAL ADVISORY COMMITTEE ACT.

THE NATIONAL PARK SERVICE BECAME INFORMED OF THE PREHISTORIC MIMBRES CULTURE WHILE COMPLETING A STUDY ON THE MIMBRES IN ACCORDANCE WITH THE NATIONAL MIMBRES CULTURE STUDY ACT OF 1988. THE STUDY, WHICH WAS TRANSMITTED TO CONGRESS ON APRIL 19, 1990, INCLUDES A DETERMINATION OF SIGNIFICANCE, RECOMMENDATIONS FOR PRESERVATION OF MIMBRES RESOURCES, ALTERNATIVES FOR A CENTRAL VISITOR FACILITY, AND ALTERNATIVES FOR MANAGEMENT AND PUBLIC USE OF MIMBRES ARCHEOLOGICAL SITES. S.2429 WOULD ADOPT ONE OF THE MANAGEMENT ALTERNATIVES IDENTIFIED IN THE STUDY.

THE RESOURCES OF THE MIMBRES CULTURE ARE NATIONALLY SIGNIFICANT ACCORDING TO NATIONAL PARK SERVICE CRITERIA FOR NEW AREAS. THE STUDY FOUND THAT A MIMBRES PARK WOULD BE SUITABLE FOR INCLUSION IN THE NATIONAL PARK SYSTEM AND FEASIBLE FOR THE NATIONAL PARK SERVICE TO ADMINISTER. STUDY ALTERNATIVES INCLUDED MANAGEMENT ROLES BY OTHER AGENCIES AND BY A PRIVATE/PUBLIC COMMISSION.

TO UNDERSTAND THE SIGNIFICANCE OF THE MIMBRES CULTURE, IT IS USEFUL TO DESCRIBE IT WITHIN THE CONTEXT OF THE PREHISTORY OF THE SOUTHWEST. THERE WERE THREE MAJOR PREHISTORIC AMERICAN INDIAN TRADITIONS IN THE SOUTHWEST - (1) THE ANASAZI, THE FAMOUS ARCHITECTS OF CHACO CANYON AND MESA VERDE IN THE FOUR CORNERS REGIONS AND ANCESTORS OF THE PRESENT-DAY PUEBLOS ON THE COLORADO PLATEAU; (2) THE HOHOKAM, WHO CONSTRUCTED HUGE CANAL SYSTEMS, PROBABLY ANCESTORS OF THE MODERN PIMAN GROUPS OF INDIANS; AND (3) THE MOGOLLAN, WHO INHABITED SOUTHEASTERN ARIZONA, SOUTHWESTERN NEW MEXICO, AND THE NORTHERN PORTION OF THE STATE OF CHIHUAHUA, MEXICO. IT IS BELIEVED THAT THE MOGOLLON EVENTUALLY JOINED THE ANASAZI TO FORM THE MODERN PUEBLO PEOPLES.

THE MIMBRES PEOPLE, WHO WERE CENTERED IN THE VALLEYS OF THE GILA AND MIMBRES RIVERS OF SOUTHWESTERN NEW MEXICO BETWEEN A.D. 200 AND A.D. 1150., CREATED THE MOST SIGNIFICANT EXPRESSION OF THE MOGOLLON CULTURE. DURING THE CLASSIC MIMBRES PERIOD BETWEEN 1000 A.D. AND 1150 A.D. WHEN THEIR CULTURE REACHED A PEAK, THEY BUILT THE LARGEST SETTLEMENTS OF THEIR TIME PERIOD IN THE SOUTHWEST OUTSIDE OF THE MAJOR CHACO CANYON PUEBLOS, AND ESTABLISHED A COMPLEX SYSTEM OF IRRIGATION CANALS. THE MIMBRES ARE MOST FAMOUS, HOWEVER, FOR THEIR BLACK-AND-WHITE POTTERY DESIGNS. MIMBRES POTTERY IS UNIQUE, AND OF EXTRAORDINARY VALUE TO

ARCHAEOLOGISTS, ART HISTORIANS, MYTHOLOGISTS, AND OTHERS. THE UNIQUENESS OF THE DESIGNS, THE HIGH DEGREE OF CRAFTSMANSHIP DISPLAYED IN MANY MIMBRES BOWLS, AND THEIR REMARKABLE BEAUTY HAVE MADE THEM INTERNATIONALLY KNOWN, APPEARING IN MUSEUMS WORLD-WIDE.

THE ANASAZI ARE REPRESENTED WITHIN THE NATIONAL PARK SYSTEM IN NUMEROUS NATIONAL PARKS AND MONUMENTS. THE HOHOKAM ARE REPRESENTED BY CASE GRANDE NATIONAL MONUMENT NEAR PHOENIX, ARIZONA. THE MOGOLLON, HOWEVER, ARE NOT REPRESENTED AT ALL. GILA CLIFF DWELLINGS, ONCE THOUGHT TO BE A LATE MOGOLLON SITE HAS BEEN SHOWN BY RECENT RESEARCH TO BE ANASAZI. THIS GAP IN REPRESENTATION OF A MAJOR CULTURAL TRADITION IS AN IMPORTANT REASON WHY THE MIMBRES CULTURE IS SUITABLE FOR ADDITION TO THE NATIONAL PARK SYSTEM.

ONE REASON FOR THE LACK OF REPRESENTATION OF THIS PRIMARY CULTURAL GROUP IS THAT THE MIMBRES BUILT THEIR PUEBLOS PRIMARILY OUT OF RIVER COBBLES AND MUD MORTAR RATHER THAN THE MORE DURABLE SANDSTONES AND LIMESTONES USED BY THE ANASAZI. AS A RESULT MOST MIMBRES SITES ARE LIMITED TO A SINGLE-STORY IN COMPARISON TO ANASAZI SITES, WHICH ARE FREQUENTLY MULTI-STORIED AND MORE VISUALLY IMPRESSIVE. FURTHERMORE, OVER THE CENTURIES, TIME AND THE ELEMENTS HAVE REDUCED THE MIMBRES SITES TO LOW MOUNDS, WHICH REQUIRE INTERPRETATION TO THE VISITOR. THESE MOUNDS, HOWEVER, HAVE REVEALED TO ARCHAEOLOGISTS THAT THE EXTENSIVE MIMBRES SETTLEMENTS OF THE 11TH AND 12TH CENTURIES WERE ACTUALLY MUCH LARGER THAN OTHER SOUTHWESTERN SETTLEMENTS OF THEIR TIME, WITH THE EXCEPTION OF THE MAJOR PUEBLOS IN CHACO CANYON. IN THE MIMBRES VALLEY, THE LARGE PUEBLOS RANGED UP TO 200 ROOMS, AND THE LARGEST GILA VALLEY SITES WERE MORE THAN HALF AGAIN LARGER. THIS IS SIGNIFICANT BECAUSE THE AGGREGATION OF POPULATION INTO LARGE PUEBLO-LIKE STRUCTURES ENTAILS SOCIAL ADJUSTMENTS AND POLITICAL DEVELOPMENTS THAT ARE MUCH MORE COMPLEX THAN THOSE OF SOCIETIES LIVING IN DISPERSED SETTLEMENTS. IN COMPARISON THE AVERAGE ANASAZI SITE OF THE PERIOD WAS A SMALL HOUSE OF PERHAPS SEVEN ROOMS AND A KIVA, THE SETTLEMENT CONSISTING OF A NUMBER OF THESE SMALL UNITS LOOSELY CLUSTERED IN A COMMUNITY. THE LARGEST HOHOKAM SITE OF THE TIME WAS SNAKETOWN; RECENT ESTIMATES OF THE NUMBER OF ROOMS IN USE AT ONE TIME IS ONLY IN THE DOZENS.

ANOTHER MEASURE OF SOCIOECONOMIC DEVELOPMENT IS CANAL IRRIGATION, ESPECIALLY VITAL IN THE ARID AND SEMI-ARID LANDS OF THE SOUTHWEST. OF THE MANY WAYS TO MANIPULATE WATER, CANAL IRRIGATION REQUIRES THE LARGEST INITIAL INVESTMENT IN FACILITIES AND THE MOST COMPLEX COORDINATION OF SUBSEQUENT MAINTENANCE. ALTHOUGH THE MIMBRES CANAL SYSTEMS DID NOT RIVAL THE EXTENSIVE SYSTEMS OF THE HOHOKAM, THE MIMBRES WERE FEEDING THEIR PEOPLE THROUGH COMPLEX CANAL SYSTEMS AT A TIME WHEN MOST ANASAZI RELIED ON RAINFALL. EVEN WITHOUT THE FAMOUS BLACK-AND-WHITE POTTERY, THE MIMBRES CULTURE IS AN EXTRAORDINARY DEVELOPMENT IN THE SOUTHWEST.

IT IS, HOWEVER, THE DISTINCTIVE POTTERY DESIGNS THAT MOST BRINGS THE ANCIENT MIMBRES CULTURE TO LIFE FOR US TODAY. IT IS PROBABLY THE SINGLE MOST FAMOUS PREHISTORIC AMERICAN INDIAN ART STYLE. BEYOND ITS BEAUTY AND CRAFTSMANSHIP, MIMBRES POTTERY IS ESPECIALLY VALUABLE FOR THE INSIGHTS IT PROVIDES INTO THE LIVES OF THE MIMBRES PEOPLE.

MOST MIMBRES POTTERY CONTAINS BEAUTIFULLY EXECUTED GEOMETRIC DESIGNS. THE MOST INTRIGUING BOWLS, HOWEVER, HAVE REPRESENTATIONAL DESIGNS WITH RECOGNIZABLE BIRDS, FISH, INSECTS, MAMMALS, AND PLANTS. THERE ARE ALSO HUMANS OR HUMAN-LIKE BEINGS ENGAGING IN A VARIETY OF ACTIVITIES INCLUDING POTTERY-MAKING, FOOD AND WOOD GATHERING, HUNTING, PLANTING, CHILD-BIRTH, RITUALS, TEACHING OR STORY TELLING, SWIMMING, GAMBLING, AND EVEN BEAR-WRESTLING AND PARROT-TRAINING. MIMBRES POTTERY PROVIDES INSIGHTS NOT ONLY INTO THE NATURAL AND CULTURAL WORLD OF THE MIMBRES BUT ALSO INTO THEIR INTELLECTUAL AND IDEOLOGICAL LIVES. MANY OF THE DESIGNS INCORPORATE MYTHICAL OR OTHERWORLDLY PERSONAGES WHO SOMETIMES COMBINE THE FEATURES OF TWO OR MORE ANIMALS. IN OTHERS, ANIMALS APPEAR TO BEHAVE LIKE PEOPLE. EXCEPT FOR ROCK ART, A FEW KIVA MURALS, AND, OUTSIDE OF THE MIMBRES, A LIMITED QUANTITY AND QUALITY OF POTTERY DESIGNS, OUR KNOWLEDGE OF THE PREHISTORIC PEOPLE OF THE SOUTHWEST IS LIMITED TO THE REMAINS OF THEIR MATERIAL CULTURE -- BUILDING MATERIALS, UTENSILS AND TOOLS, TRASH MOUNDS, AND SCRAPS OF MORE PERISHABLE LEATHER AND WOVEN CLOTH GOODS. MIMBRES POTTERY PRESENTS AN UNUSUAL OPPORTUNITY FOR INSIGHTS INTO THE MENTAL WORLD OF THE PREHISTORIC SOUTHWEST.

THE MYTHIC TRADITIONS DEPICTED SUGGEST RELATIONSHIPS TO MODERN PUEBLO AND PRE-COLUMBIAN MIDDLE AMERICAN CULTURE. IMPORTANT ELEMENTS OF PUEBLO CEREMONIALISM MAY HAVE DEVELOPED AMONG THE MIMBRES. DURING OUR CONSULTATIONS WITH AMERICAN INDIAN GROUPS, THE HOPI INDIANS EXPRESSED GREAT INTEREST IN THE DESIGNS AND CONCERN THAT THESE HIGHLY SIGNIFICANT RESOURCES BE PROTECTED AND PRESENTED WITH RESPECT. MANY AMERICAN INDIAN ARTISTS HAVE BEEN INSPIRED BY MIMBRES DESIGNS, ESPECIALLY THE ZUNI, ACOMA, AND HOPI; AND MIMBRES MOTIFS HAVE FOUND THEIR WAY INTO MUCH OF THE FINE AND COMMERCIAL ART OF THE SOUTHWEST. MIMBRES ART HAS INSPIRED A GREAT DEAL OF INNOVATIVE INTERDISCIPLINARY RESEARCH IN A NUMBER OF PROFESSIONAL FIELDS INCLUDING BIOLOGY, FOLKLORE, ETHNOLOGY, ART HISTORY, MESOAMERICAN STUDIES, STRUCTURAL ANTHROPOLOGY, LINGUISTICS, AND SEMANTICS.

THE BEAUTY AND UNIQUENESS OF THIS POTTERY HAS, HOWEVER, LED TO A LARGE AND GROWING MARKET FOR MIMBRES ARTWORK AND THE INCREASING DESTRUCTION OF MIMBRES ARCHEOLOGICAL SITES BY POTHUNTERS, DIGGING BOTH LEGALLY ON PRIVATE PROPERTY AND ILLEGALLY ON FEDERAL LANDS. A PRIMARY PURPOSE OF THE LEGISLATION AT HAND IS TO PROVIDE PROTECTION FOR MIMBRES SITES AND TO EDUCATE THE PUBLIC ABOUT THE RESEARCH AND HERITAGE VALUES ASSOCIATED WITH THE MIMBRES.

MR. CHAIRMAN, THIS CONCLUDES MY COMMENTS. I WILL BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU MAY HAVE.

Senator BINGAMAN. Any other comments on the Mimbres?

Mr. OVERBAY. Mr. Chairman, I am Jim Overbay with the Forest Service. We also support the concept of protecting and preserving the Mimbres culture. We do agree that there needs to be some more work done on this, but the Forest Service would also like to play a part in whatever that final solution turns out to be because a number of these sites are on national forest land.

Senator BINGAMAN. I understand that, and I appreciate that comment.

Mr. Ridenour, did you have another of the bills that you wanted to comment on?

Mr. RIDENOUR. Yes.

Senator DOMENICI. Mr. Chairman, excuse me. Would it be your intention—and if it is, it is perfectly fine with me—that we let him finish and then we ask questions about them?

Senator BINGAMAN. Yes. Well, we could take questions right now if you have questions.

Senator DOMENICI. Well, I think I can wait. I have one on Pecos and one on Mimbres. But let's go ahead and let him finish. Will we go back to them that way?

Senator BINGAMAN. We can do that. I think that is fine.

Senator DOMENICI. All right.

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 2165, ACCOMPANIED BY DOUG FARIS, ASSOCIATE REGIONAL DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, SOUTHWEST REGIONAL OFFICE, SANTA FE, NM

Mr. RIDENOUR. Next I would speak to Glorieta.

We do not support the enactment of S. 2165. A feasibility/suitability study has not been completed on the proposed site. The site has not been identified as a priority for study for suitability or feasibility. The setting remains, and comprehensive interpretation is possible, but a highway currently bisecting the historic battlefield limits potential visitor-use opportunities.

The Glorieta Pass Battlefield is included on the National Register of Historic Places and has been a registered National Historic Landmark since November 1961.

The Battle of Glorieta Pass ended the Confederate invasion of New Mexico and a grand design for detaching the west from the Union and extending the Confederation to the Pacific. So, it does certainly have significance as a western battlefield site.

I think our primary concerns—and certainly we can look to those on a map at some particular point—relate to the highway, number one. Number two, we are concerned how the legislation would take out the possibility of any condemnation.

The proposed national battlefield would include two units separated by approximately six miles, including approximately 753 acres and 22 owners. The National Park Service estimates the total cost of land acquisition would be approximately $5.7 million. We anticipate development costs of $1.5 million to $2 million, and annual operating cost following implementation of the visitors facilities would be $250,000 to $300,000.

We believe that there could be management problems. As proposed in the bill, the National Park Service would be limited to the use of condemnation on 121 acres of the 753 acres included in the two units of the national battlefield. If other landowners are unwilling to sell their property to the Federal Government, implementation of the legislative intent of the bill might not be possible.

When you couple that the problems that we see associated with the highway, we are going on record as opposing the bill.

[The prepared statement of Mr. Ridenour on S. 2165 follows:]

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S.2165, A BILL TO ESTABLISH GLORIETA NATIONAL BATTLEFIELD IN THE STATE OF NEW MEXICO.

May 1, 1990

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, IT IS A PLEASURE TO APPEAR TODAY TO DISCUSS S.2165, A BILL TO DESIGNATE THE SITE OF THE GLORIETA BATTLE IN THE CIVIL WAR AS A NATIONAL BATTLEFIELD.

WE DO NOT SUPPORT ENACTMENT OF S.2165. A FEASIBILITY/SUITABILITY STUDY HAS NOT BEEN COMPLETED ON THE PROPOSED SITE. THE SITE HAS NOT BEEN IDENTIFIED AS A PRIORITY FOR STUDY FOR SUITABILITY/FEASIBILITY. THE SETTING REMAINS, AND COMPREHENSIVE INTERPRETATION IS POSSIBLE, BUT A HIGHWAY CURRENTLY BISECTING THE HISTORIC BATTLEFIELD LIMITS POTENTIAL VISITOR USE OPPORTUNITIES.

THE BATTLEFIELD CONSISTS OF TWO PARCELS OF LAND, ONE OF WHICH EXTENDS DOWN APACHE CANYON FROM DEER CREEK PAST CANONCITO, AND THE OTHER WHICH CENTERS AROUND PIGEON'S RANCH. THE GLORIETA PASS BATTLEFIELD IS INCLUDED ON THE NATIONAL REGISTER OF HISTORIC PLACES AND HAS BEEN A REGISTERED NATIONAL HISTORIC LANDMARK SINCE NOVEMBER 1961.

THE BATTLE OF GLORIETA PASS, MARCH 26-28, 1862, ENDED THE CONFEDERATE INVASION OF NEW MEXICO, AND A GRAND DESIGN FOR DETACHING THE WEST FROM THE UNION AND EXTENDING THE CONFEDERATION TO THE PACIFIC.

IN FEBRUARY 1862, CONFEDERATE GENERAL HENRY H. SIBLEY BEGAN AN INVASION UP THE RIO GRANDE VALLEY WITH A BRIGADE OF 2,500 TEXANS. AFTER DEFEATING FEDERAL FORCES AT THE BATTLE OF VALVERDE ON FEBRUARY 21, SIBLEY DROVE ON TO ALBUQUERQUE AND SANTA FE, WITH LITTLE RESISTANCE, WITH FORT UNION AND THEN DENVER AS HIS NEXT OBJECTIVES. REINFORCED BY THE REGIMENT OF COLORADO VOLUNTEERS, 1,300 FEDERAL TROOPS UNDER COLONEL JOHN J. SLOUGH SET OUT TO MEET THE ADVANCING CONFEDERATES. THE ARMIES MET IN GLORIETA PASS IN THE SANGRE DE CRISTO MOUNTAINS, AND THE BATTLE BEGAN ON THE 26TH NEAR DEER CREEK WHEN ADVANCE PARTIES CLASHED. THE FULL COMPLEMENT OF TROOPS ARRIVED ON THE 27TH, AND ON THE 28TH THE FIGHTING RESUMED NEAR PIGEON'S RANCH AND RAGED ALL DAY WHILE A BODY OF FEDERAL

SOLDIERS UNDER MAJOR JOHN CHIVINGTON MADE ITS WAY THROUGH THE MOUNTAINS IN AN ATTEMPT TO STRIKE AT THE CONFEDERATE BASE CAMP AT THE WESTERN END OF THE PASS. CHIVINGTON SUCCEEDED IN DESTROYING THE CONFEDERATE WAGON TRAIN AND SUPPLIES, THUS FORCING THE CONFEDERATE FORCES TO WITHDRAW FROM ENEMY TERRITORY AND TO ABANDON THEIR CAMPAIGN IN THE SOUTHWEST.

THE PROPOSED NATIONAL BATTLEFIELD WOULD INCLUDE 2 UNITS SEPARATED BY APPROXIMATELY 6 MILES INCLUDING APPROXIMATELY 753 ACRES AND 22 OWNERS. THE NATIONAL PARK SERVICE ESTIMATES THE TOTAL COST OF LAND ACQUISITION WOULD BE APPROXIMATELY $5.7 MILLION. IF THE PROPOSED NATIONAL BATTLEFIELD IS AUTHORIZED, A GENERAL MANAGEMENT AND DEVELOPMENT CONCEPT PLAN WOULD BE REQUIRED. BASED UPON EXPERIENCE WITH DEVELOPMENT OF SUCH UNITS, WE ANTICIPATE DEVELOPMENT COSTS OF $1.5 MILLION-$2 MILLION. ANNUAL OPERATIONAL COST FOLLOWING IMPLEMENTATION OF VISITOR FACILITIES WOULD BE $250,000-$300,000.

MOREOVER, THE LIMITATION ON LAND ACQUISITION IN S.2165 COULD RESULT IN MANAGEMENT PROBLEMS FOR THE SERVICE. AS PROPOSED IN THE BILL, THE NATIONAL PARK SERVICE WOULD BE LIMITED TO THE USE OF CONDEMNATION ON 121 ACRES OF THE 753 ACRES INCLUDED IN THE TWO UNITS OF THE NATIONAL BATTLEFIELD. IF OTHER LANDOWNERS ARE UNWILLING TO SELL THEIR PROPERTY TO THE FEDERAL GOVERNMENT, IMPLEMENTATION OF THE LEGISLATIVE INTENT OF THE BILL MIGHT NOT BE POSSIBLE. PORTIONS OF THE BATTLE SITE ARE EXCLUDED FROM CONDEMNATION AUTHORITY.

MR. CHAIRMAN, THIS CONCLUDES MY COMMENTS. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

Senator BINGAMAN. All right. Did you have another of the bills you wished to comment on?

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ON S. 2430, ACCOMPANIED BY DOUG FARIS, ASSOCIATE REGIONAL DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, SOUTHWEST REGIONAL OFFICE, SANTA FE, NM

Mr. RIDENOUR. Just a very quick one on Zuni-Cibola.

We are in full support although we have a little confusion I think, Mr. Chairman, in our written testimony. We support a five year extension in sections 2 and 6 of Public Law 100–567. I think we have a little confusion between what we have and what is in the bill. It looks to me in the bill it is a four year extension, the way we read it. I think we would be comfortable either way.

[The prepared statement of Mr. Ridenour on S. 2430 follows:]

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S.2430, A BILL TO AMEND THE ZUNI-CIBOLA NATIONAL HISTORICAL PARK ESTABLISHMENT ACT OF 1988.

May 1, 1990

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, IT IS A PLEASURE TO APPEAR TODAY TO DISCUSS S.2430, A BILL TO AMEND THE AUTHORIZATION BILL FOR ZUNI-CIBOLA NATIONAL HISTORICAL PARK IN THE STATE OF NEW MEXICO.

THE DEPARTMENT OF THE INTERIOR RECOMMENDS THE ENACTMENT OF THE SENATE BILL TO AMEND THE ZUNI ACT.

SINCE THE ENACTMENT OF THE AUTHORIZATION ACT FOR THE ESTABLISHMENT OF ZUNI-CIBOLA NATIONAL HISTORICAL PARK IN 1988, THE NATIONAL PARK SERVICE HAS WORKED VERY CLOSELY WITH THE ELECTED AUTHORITIES OF THE ZUNI TRIBE TO PREPARE A DRAFT STATEMENT FOR MANAGEMENT FOR THE PARK, AN INTERIM OPERATION PLAN AND A DRAFT LEASEHOLD AGREEMENT.

DURING THE PROCESS OF PREPARING PRELIMINARY DOCUMENTS FOR THE OPERATION OF THE PARK, VARIOUS INDIVIDUALS IN THE ZUNI TRIBE BECAME CONCERNED ABOUT THE DETAILS OF THE PROPOSED LEASEHOLD AGREEMENT WITH THE FEDERAL GOVERNMENT. THE AUTHORIZING BILL REQUIRES THAT THE ZUNI TRIBE OFFER A LEASEHOLD AGREEMENT TO THE SECRETARY OF THE INTERIOR WITHIN 18 MONTHS OF ENACTMENT OF THE PARK ACT AND PROVIDES THE SECRETARY 6 MONTHS TO ACCEPT THE AGREEMENT. OTHER REQUIREMENTS INCLUDE:

- THE LEASEHOLD MUST CONTINUE FOR A PERIOD OF 99 YEARS

- NO RENTALS OR OTHER PAYMENTS BY THE UNITED STATES TO THE ZUNI TRIBE

- NO MORE THAN 800 ACRES OF THE ZUNI INDIAN RESERVATION ARE TO BE INCLUDED

AS A RESULT OF CONCERNS BY SOME TRIBAL MEMBERS, ZUNI PUEBLO GOVERNOR ROBERT LEWIS AND THE TRIBAL COUNCIL DECIDED TO HAVE AN ELECTION ON THE ISSUE OF ESTABLISHING THE PARK ON THE BASIS OF THE 1988 LEGISLATION.

ON JANUARY 30, 1988, THE ZUNI TRIBE HELD AN ELECTION ON THE PARK ISSUE. THE RESULT OF THIS ELECTION WAS THAT 863 ZUNI VOTERS CAST VOTES AGAINST THE PARK CONCEPT AND 125 VOTED IN FAVOR OF THE LEASEHOLD AND PROCEEDING WITH THE PARK.

AS A RESULT OF THIS ELECTION, ACTIONS BY THE NATIONAL PARK SERVICE TO PROCEED WITH OPERATIONAL AGREEMENTS HAVE BEEN TERMINATED. THE AREA IS NOT NOW BEING MANAGED AS A UNIT OF THE NATIONAL PARK SYSTEM. THE ZUNI TRIBAL GOVERNOR HAS INDICATED THAT A LEGISLATIVE AMENDMENT WOULD BE AN ACCEPTABLE METHOD TO PROVIDE MORE TIME FOR THE ZUNI PEOPLE TO EVALUATE AND DECIDE ON WHAT BASIS THE PARK MIGHT BE ACCEPTABLE TO THEM.

WE SUPPORT A 5-YEAR EXTENSION IN SECTIONS 2 AND 6 OF PUBLIC LAW 100-567 SO THAT THE ZUNI PEOPLE WILL HAVE A REASONABLE TIME PERIOD TO DETERMINE IF AND HOW THE PARK WOULD BE ACCEPTABLE.

MR. CHAIRMAN, THIS CONCLUDES MY COMMENTS. I WOULD BE PLEASED TO ANSWER ANY QUESTIONS YOU MAY HAVE.

Senator BINGAMAN. All right. Are there other pieces of legislation you wish to comment on or is that your——

Mr. RIDENOUR. That's it.

Senator BINGAMAN. That's it.

Why don't we go directly to questions on these four then? Let me just ask a couple of questions.

On the Mimbres legislation, you indicated that you do not favor going forward until you have developed new park criteria. How long has that process been going on, the development of these new park criteria?

Mr. RIDENOUR. I would say approximately a couple of months.

Senator BINGAMAN. It has just been happening for the last couple of months?

Mr. RIDENOUR. Yes, sir.

Senator BINGAMAN. When do you expect it to be completed?

Mr. RIDENOUR. Well, I would hope it would be within the next month.

Senator BINGAMAN. I see. So, you would expect that a month from now, you would have that new park criteria and would know at that time whether Mimbres met that criteria.

Mr. RIDENOUR. Yes, sir. That would be my hope.

Senator BINGAMAN. Could you advise us as quickly as that new criteria does come out what your view is?

Mr. RIDENOUR. Yes, sir.

Senator BINGAMAN. In the case of Glorieta, there has been a suggestion, as I understand it, by the National Parks and Conservation Association that the Glorieta Battlefield be incorporated into the Pecos National Historical Park that is contemplated in this Pecos legislation.

Do you have a view as to the appropriateness of that kind of a course of action?

Mr. RIDENOUR. I would say that certainly from a staging standpoint—I will defer to Doug here in just a second—some of the activity actually took place on the land that we would be talking about incorporating into the Pecos property. I think some of the more significant action, though, took place further to the west, and that is the part that we were talking about—at least that is what we have on our map—that we were in opposition to.

Senator BINGAMAN. Doug, did you have anything you wanted to add?

Mr. FARIS. Mr. Chairman, the Battle of Glorieta occurred approximately four miles west of the boundary of the Forked Lightning Ranch. Kozlowski's Trading Post, which is found on the ranch itself, was the site of the Union field headquarters and the Union field forces encampment.

We have taken the position heretofore that we would prefer to see the Glorieta Battlefield, if established, be identified as a separate unit under the category of a national battlefield with the realization that it does have direct relationship to Pecos and that in the future there may be administrative and operational support provided to such a unit out of Pecos.

Senator BINGAMAN. Let me just ask one other question of either of you on this Mimbres issue.

I want to commend you also for the study that has been done. I think it is an excellent study. And what I gather from looking through it is that there is a real sense of urgency about going forward and putting in place whatever institution for preservation is possible in this area. Is it your sense that there is a real time urgency about moving ahead on this if it is going to be done? I do not mean in the next month, but I mean this year.

Mr. RIDENOUR. I would defer to Doug, but I would say that in our testimony we indicate that some of the areas are under protection. There is a certain degree of protection provided at the present time. But there are areas there that are unprotected and that we do have a great deal of concern about.

Mr. FARIS. Mr. Chairman, are you specifically referring to Glorieta or Mimbres?

Senator BINGAMAN. I was referring to the Mimbres.

Mr. FARIS. To the Mimbres culture?

Senator BINGAMAN. Yes.

Mr. FARIS. The Mimbres culture, Mr. Chairman, of southwestern New Mexico is one of the most endangered, threatened cultural resource areas in the American southwest, probably the most threatened due to the very high value of the cultural material, and particularly the ceramic pottery that is characteristic of that culture.

Many of the sites have been severely damaged, bulldozed, et cetera by those who would like to obtain the material from the sites and sell it internationally. It would be our feeling—and it is the result included in their study—that the need to take some type of inter-governmental and private sector action is very high at this time.

Senator BINGAMAN. Thank you.

Let me defer to Senator Domenici for his questions.

Senator DOMENICI. Well, let me just quickly turn to the Mimbres because we are on it right now. I believe that it is imperative that we act. I think this is much more endangered. We might have already lost huge parts of this from what I remember having visited a few of the sites five, six, seven years ago and having been briefed.

We have created something similar with reference to the outliers on the Chaco outlier system, and I understand that you are being, in a sense, besieged with new requests. And I assume that that does not make them good or bad, but many of them are very good.

Is that one of the reasons that you are trying to set some criteria so you can also remind us that if we are going to do certain things, we have to reciprocate with certain capabilities on your side for expanded missions?

Mr. RIDENOUR. Yes, I think that is an accurate description. And you are entirely correct when you say we are besieged with requests in terms of studies and things of this nature. I would say about the Mimbres that we do feel like we have a good study, and I think as a park service we feel like we have something here that we are very much interested in. I think as soon as we get these criteria into place then, we can set a position in terms of the administration. And that is where we are. Hopefully that will not take too long.

Senator DOMENICI. So, in response to the Chairman's question, would it be fair to say that if the study does not come out with cri-

teria that don't fit this bill, we ought to be able to get this finalized before this year is out if we can get the work done up here?

Mr. RIDENOUR. That would be my hope, sir.

Senator DOMENICI. With reference to Pecos, obviously we need to do something about that. I wonder if you interpret the language which is in the bill to provide condemnation authority, or is the bill as it is currently drafted such that we would be speaking of a willing seller?

Mr. RIDENOUR. The answer is: as drafted, we interpret that it would provide condemnation.

Senator DOMENICI. And is that what you recommend?

Mr. RIDENOUR. No, sir.

Senator DOMENICI. I thought you indicated you supported the bill.

Mr. RIDENOUR. Well, we support the bill. I would hope we would not have to get into condemnation.

Senator DOMENICI. You are saying you do not expect to have to condemn. But do you support the bill with condemnation authority?

Mr. RIDENOUR. The accurate answer is: we would support it either way. Hopefully, we would not have to be in condemnation.

Senator DOMENICI. I want to state for the record that I am concerned about condemnation only because of the previous benevolence of the owner. I surely would not want, with the kind of gifts that have come from her both to this kind of activity, and I just noted, Mr. Chairman, a major story about Santa Fe where she contributed $30 million to the new center at the College of Santa Fe, which might very well become one of the true centers for actors and creative activities that surround the profession of acting. And I would think we ought to be careful.

But you are saying your intention would be to try to acquire it from willing buyers and to seek donations if somebody else would buy it and give it to us. Is that essentially the process you would follow of primary impact on this?

Mr. RIDENOUR. Yes, sir. I guess the only thing that would make one even think about the potential for condemnation would be if there were some land deals that took place that changed the acreages of this in terms of ownership one way or another. And one of those deals might just include some very specific piece that was critical. But we certainly recognize the long contribution of Ms. Fogelson and the generous nature that they as a family have been to the existing monument.

Senator DOMENICI. The last one has to do just quickly with Glorieta. I am not on this because I have been worried about the fact that there are very large quantities of private land and the highway which make it very difficult for me to conceive that we are ever going to be able to implement it.

But I wonder, Doug, if you relate it to Pecos, don't you only relate part of it to Pecos, and does that work? Isn't it almost two parts to this Glorieta?

Mr. FARIS. Yes, sir. Senator Domenici, the Glorieta Battlefield, as designed by this legislative proposal, would include two units—one surrounding the Pigeon's Ranch area, about 322 acres there along

Highway 50, and then a western unit at Johnson's Ranch which is six miles west on the western side of the Glorieta Pass.

Senator DOMENICI. Well, in not wanting to proceed for the reasons stated here, does that apply to both units?

Mr. FARIS. No, sir. Senator Domenici, primarily that applies to the situation at the Pigeon's Ranch unit because Highway 50 traverses that unit. At this time some of the historic structures are within a few feet of the actual paved roadway. The State of New Mexico at this time intends to expand the road right-of-way and to go from a 22- to almost a 40- foot pavement area, and they anticipate a doubling of the annual traffic use of this area over the next eight to 10 years. So, consequently, that would make a very difficult operational situation.

And in fact, most of the improvements are on the Pigeon's Ranch unit. There are several residential structures and two commercial structures. We are concerned that without the authority to acquire that land over the long term, first of all, as Director Ridenour indicated, we might not be able to manage it according to the intent of Congress. And secondly, we would have a very difficult situation with the roadway traversing the primary park facility.

There is some possibility that roadway could be relocated. The State of New Mexico has indicated a $3.5 million cost for such a relocation.

Senator DOMENICI. Well, I certainly do not know where we ought to go next. But I wonder, with reference to the unit which is more easily discernable as fitting a management plan and for less than the complicated acquisition, do you have a plan for it that would fit the criteria if we were adopt it by itself and have further study on the other?

Mr. FARIS. Senator, if we were to develop a plan that would be for a smaller area than what is currently proposed?

Senator DOMENICI. Yes.

Mr. FARIS. Yes. I would assume that one could consider something that would focus on the Pigeon's Ranch area, and the primary part of the battlefield during the day of March 26, 1862, could be developed. It has been proposed by several people in the Santa Fe area who are involved with the Glorieta Battlefield Preservation Society.

It normally has been our policy when we address these things that we attempt to get as much of the actual battlefield within such a unit as is possible.

Senator DOMENICI. Well, from my own standpoint, I hope we can find a way to do something that is effective, but I do not see how we are going to do the whole thing when 33 separate tracts are there, the battlefield is in private hands, and there are 22 residences, two commercial structures, plus the highway. I think that makes it very difficult from the standpoint of what we could put together. But I assume the Chairman has some ideas before we are finished as to how we might proceed.

And you have done as much work as you need to do to be able to advise us. Is that a fair statement? Can we seek advice on some options, and do you know enough about it already for that?

Mr. FARIS. Yes, sir. Senator Domenici, we have evaluated the battlefield over the past two years so far as being able to provide

accurate testimony and facts to the committee and as well as a major undertaking was done in 1960 and 1961 to address the actual significance of the battlefield. So, we feel comfortable with the data that we have.

Senator DOMENICI. Thank you very much.

Thank you, Mr. Chairman.

Senator BINGAMAN. Thank you very much.

Just as a followup to that, could we ask that you respond by giving us the options that you see—and maybe this is in some of the documentation that I just have misplaced—for preserving or acknowledging the battlefield that we still have, how it might be included in this Pecos- Forked Lightning Ranch national historic park, if that is a possibility, or what other options might make sense for us?

Mr. RIDENOUR. Yes, sir. We will be glad to do that.

Senator BINGAMAN. That would be helpful.

Why don't we at this point go ahead and hear from the Bureau of Land Management? Mr. Dean Stepanek is here, and I know he is accompanied by Larry Woodard, who is the State Director from New Mexico, who I understand is going to have to leave shortly to catch a plane or tend to other business. We appreciate his being here and appreciate all the good work he does. Mr. Stepanek, why don't you go right ahead and give us your position on any of these pieces of legislation?

[Subsequent to the hearing Mr. Ridenour submitted the following:]

United States Department of the Interior

NATIONAL PARK SERVICE
P.O. BOX 37127
WASHINGTON, D.C. 20013-7127

IN REPLY REFER TO:
L58(180)

MAY 14 1990

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Honorable Jeff Bingaman
United States Senate
Washington, D.C. 20510

Dear Senator Bingaman:

Enclosed for your information are ranking factors we have developed to establish priorities for resource studies by the National Park Service. Such studies include potential new areas of the National Park System, special studies to determine significance of resources, and similar resource analyses and management alternatives.

On October 2, 1989, President Bush signed into law legislation to establish the Ulysses S. Grant National Historic Site in Missouri, the most recent addition to the National Park System. While it is a worthy site, it was not subject to a new area study by the National Park Service. In approving the legislation, the President stated:

> " ... I am disappointed that the Congress did not accept the Department of the Interior's recommendation that performance of a formal new area study precede establishment of this Historic Site. Such studies enable the National Park Service to examine the suitability, feasibility, and alternatives for managing proposed new park units."
>
> " In the future, the Congress will consider many more proposals for new National Park System units. I firmly believe that formal new area studies, conducted under the management policies of the National Park Service, assist this process and lead to better decision-making. To protect the integrity and viability of the National Park System, completion of such a study should be a prerequisite for establishment of any new unit of the National Park System."

The enclosed ranking factors were developed in response to the President's concerns. Of all the factors, we believe those of "Significance" and "Resource Integrity/Risks" should be given the most weight. Other factors could be considered from the Congressional perspective, and we would welcome your counsel in this regard.

Based on these ranking factors, a comprehensive study of Civil War sites, many of which are threatened by urban and suburban land development pressures, is expected to command relatively high priority. In addition, we intend to conduct a theme study of American artists, in order to have a professional basis for determining their representation in the National Park System. Proposals for two historic sites representing American artists are now pending before Congress, and we have formally recommended that action on one site be postponed until a theme study to determine significance is completed.

Our goal in developing the enclosed priority ranking factors is to move toward a consensus with the Congress on priorities for resource studies, so that future studies would involve areas or resources that both the National Park Service and the Congress agree should enjoy the highest priority. Again, we welcome your counsel. As part of the new area and resource study process, we are also working with the Office of Management and Budget to develop priorities for Administration support for new park proposals that have been determined, through the study process, to be suitable and feasible. I look forward to sharing these priorities with the Congress.

Because of their interests in our priorities for conducting special resource studies, I am also providing copies of the enclosed priority ranking factors to other Members of our authorizing and Appropriations Committees for their information.

Sincerely,

James M. Ridenour

James M. Ridenour
Director

Enclosure

4-5-90

DISCUSSION DRAFT

National Park Service Priority Ranking Factors for Special Resource Studies

1. Significance

Areas previously determined to be nationally significant have a higher priority than areas where significance has not yet been determined or where significance has already been found to be local rather than national.

2. Rarity

Areas that are unique or the only remaining example of a resource and areas that are not adequately represented in the National Park System have high priority. Relatively common resources and resource types that are being adequately protected by other Federal, State, and local agencies are lower priority.

3. Diversity

Areas that contain several different types of natural, cultural, or recreational resources and opportunities have higher priority than areas that contain only one type of resource.

4. Interpretive/Public Use Potential

Areas with outstanding potential for interpretation and public use have higher priority than areas where the relationship between resources and interpretation or public enjoyment is not well defined, or where increased publicity and visitor use use may conflict with resource protection.

5. Resource Integrity/Risks

Areas where NPS involvement is likely to be effective in assuring resource integrity are higher priority than areas that are not likely to change in the forseeable future or areas that are likely to be irreversibly damaged before they could be protected by Federal, State, local, or private action.

6. Public Support

Areas with strong local support and potential for partnership with State or local government are higher priority than areas where local support is undetermined. Areas where landowners support public acquisition or other protection also are relatively higher priority than cases where there is local opposition or no evidence of support for NPS involvement.

7. Special Initiatives

Areas that support special Administration initiatives concerning minority groups, Native Americans, Territories, education, metropolitan areas, and wetlands are higher priority than areas that do not address these issues.

8. Costs

Areas with the potential for significant resource protection at relatively low cost due to donation of sites or cooperative management are higher priority than areas where the costs for acquisition, management and development are likely to be very high. Ability to share costs with others may be considered. Cost is a factor relative to the type, location, and size of resource rather than an absolute dollar amount.

9. Data\Previous Studies

Areas that NPS has studied in the past and found significant, and studies need updating or more information about suitability and alternatives are higher priority than cases where no data is readily available.

STATEMENT OF DEAN STEPANEK, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY LARRY L. WOODARD, STATE DIRECTOR FOR NEW MEXICO, BUREAU OF LAND MANAGEMENT

Mr. STEPANEK. Thank you, Mr. Chairman. I do have the good fortune of having Larry with me and wanted to avail him of any questions you might have.

The Bureau of Land Management strongly supports both the Chama River Gateway proposal, S. 2014, and the Organ Mountains, S. 2143, bill.

As was alluded to by Congressman Skeen relative to the Organ Mountains, we have been working actively in recent days with the military to try and iron out difficulties there and come to an agreement on a cooperative management scheme. Maybe I would have Larry just talk a little bit about that because I think that is probably one of the parts of that bill that is most critical at this point.

Mr. WOODARD. Senator Bingaman, the issue with the Army is that some of their initial reaction was that they felt that there might be unexploded ordnance on the west side. They were concerned about inclusion of the 3,000 acres. But once they came over on the west side and took a look at it, they have responded much more favorably. As a matter of fact, we are going out next week and marking a trail through the corner of Fort Bliss to connect Aguirre Springs and the Cox Ranch. So, some of their early reaction I think is probably what you have heard, and that seems to have been mitigated here in the last six weeks.

Senator BINGAMAN. All right. I appreciate that.

Mr. Stepanek, do you have any other comments on any of this?

Mr. STEPANEK. Both bills that I mentioned are in keeping with the initiatives that we have under way in BLM relative to recreation and cultural resources. We feel this will really give us a little boost, and we very much appreciate it.

I would say on the Organ Mountains legislation, there are two parts of the bill on which you may wish to reconsider the language. At least for our purposes, section 4 contains a sense of the Congress that land exchanges be completed in four years. The bill also speaks to landowners willing to sell or exchange. So, I would hope that in the context of this language, it would be understood that so long as the sellers are willing, we can accomplish this job in four years. Otherwise, we certainly could not guarantee that.

The other provision of subsection 4(b) contains standards for exchanges. And as you are aware, the Bureau of Land Management is guided by FLPMA and the Federal Land Exchange Facilitation Act, both of which put forth standards relative to exchanges. You may wish to consider whether or not unique language specific for Organ Mountains is appropriate. We would prefer a consistent approach to exchanges within the Bureau of Land Management.

Senator BINGAMAN. Let me ask also, Mr. Stepanek, if you had a position on the bill, S. 2432, regarding the McGregor Range and PILT payments there. If the lands are managed under FLPMA and multiple use is allowed to occur, it seems that those lands should be included in the PILT formula. At least that is what my impres-

sion is. If you have a position or any statement Mr. Woodward would want to make on that.

Mr. STEPANEK. Well, the Administration is concerned, if you will, about the language specific to the McGregor and the PILT payments. We can see precedent here where other areas might also be included. At the time the McGregor Range legislation was passed—I believe it was the Military Lands Withdrawal Act—there were five other areas that also had multiple use considerations involved. We are aware that there are yet other bills being considered for military expansion.

I guess the problem is in the instant case, this would do nothing particularly for Otero County inasmuch as they have reached their limitation on PILT payments. Yet, this legislation might well set precedent in the future for payments in these instances.

Our solicitor, of course, indicates that these lands do not qualify under the current law. And, of course, that is what you are dealing with here.

Senator BINGAMAN. Mr. Woodard, did you have any comment on that issue?

Mr. WOODARD. The precedent issue I think might revolve around the issue of the level of multiple use that does occur on McGregor compared to other military ranges. I do not have any understanding on the other ranges.

I just might add that the military use of McGregor is primarily out of Fort Bliss, Texas, and we have completed a land use plan with the military that does allow for quite a wide range of multiple use including livestock grazing, recreational hunting, rights-of-way, fire protection, and now even some mineral leasing. And so, the issue is if that level of use would qualify it for PILT or not.

[The prepared statements of Mr. Stepanek on S. 2143, S. 2014, and S. 2432 follow:]

MAY 1 1990

STATEMENT OF DEAN STEPANEK, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, UNITED STATES SENATE, ON S. 2143, A BILL "TO ESTABLISH THE ORGAN MOUNTAINS NATIONAL CONSERVATION AREA IN THE STATE OF NEW MEXICO AND FOR OTHER PURPOSES."

Good morning. I appreciate the chance to give you my views on S. 2143. S. 2143 would establish the Organ Mountains National Conservation Area (NCA) in the State of New Mexico. The new NCA would be administered by the Secretary of the Interior through the Bureau of Land Management (BLM), in cooperation with the Department of the Army. This new NCA consists of 58,560 acres according to the bill. As we note herein, the correct acreage of the NCA will be 62,240 acres.

We strongly support S. 2143, if amended as we suggest.

We have long recognized that the area's unique combination of recreational, cultural and ecological values warrants special management and protection and have taken a number of administrative actions to recognize these elements. S. 2143 fully meets these management and protection needs. We recommend its enactment, with a few minor amendments to better reflect our land acquisition authorities.

Summary of S. 2143

The first section of the bill establishes the Area, and includes the Aguirre Springs Recreation Area, Dripping Springs, La Cueva, and other public land resources in the Organ and Franklin Mountains. The boundaries of the Area and

the lands included are defined by a map and legal description that we would file with appropriate Committees if the bill is enacted.

Under section 3, BLM would manage the area to conserve and protect the nationally important ecological, cultural, scenic, scientific and recreational resources, under the Federal Policy and Management Act (FLPMA) as well as this Act and other applicable law.

Hunting and trapping would be permitted. After consulting with the New Mexico Department of Game and Fish, we could issue regulations to restrict areas and times when hunting and trapping would be curtailed to benefit public safety, administration, or public use.

Grazing would continue to be administered under applicable authorities subject to reasonable regulations, policies, and practices.

S. 2143 legislatively withdraws lands within the NCA from operation of the general mining laws.

Section 4 sets forth acquisition policy and restrictions. Only acquisitions from willing landowners are permitted. Lands owned by the State or its political subdivisions can only be acquired by exchange. Subsection 4(a) states the sense of Congress that all surface and non-Federal subsurface interests should be acquired no later than 4 years after enactment of the legislation.

Section 5 calls for initial management of the area pursuant to BLM's Organ Mountain Coordinated Resource Management Plan of April 1989 (CRMP). However, under the bill, we would need to review that plan within 5 years with full public involvement.

Section 6 calls for joint management of the area by the Department of the Interior and the Army pursuant to a cooperative agreement relating to joint use, management and protection of the values. The agreement would have to be completed within 2 years of enactment. The Secretary of the Interior would manage the lands west of the crest of the Organ Mountains. The Secretary of the Army would manage those lands east of the crest and west of Fort Bliss. The Department of the Army would be responsible for identifying and removing unexploded ordnance from within the Area.

RESOURCES OF THE AREA

Cultural Values

The area exhibits evidence of human occupation since approximately 9,500 B.C. The greatest numbers of prehistoric sites date from approximately A.D. 200 to A.D. 1400. Midden deposits at the Pena Blanca and La Cueva rockshelters are representative of the period. The Pena Blanca Site has produced the earliest cultivated corn in the United States.

The area has a wealth of archeological sites ranging from historic mining-related sites to the well-known Van Patten's Mountain Resort in the Dripping Springs area. Van Patten, a Confederate Colonel, opened the resort in the late 1870s. It became one of the most prominent retreats in southern New Mexico. The CRMP calls for partial restoration, stabilization, and interpretation of this site.

Recreational Value

The Organ and Franklin Mountains currently receive about 150,000 recreation visits per year, most of which is attributable to the Aguirre Spring campground and immediate area. Developed camping and trails, in a mountain setting, are extremely limited in south-central New Mexico. This area provides the closest recreation opportunities of this type for the Las Cruces-El Paso area. The Aguirre Spring Campground lies on the east side of the Organ Mountains. This 55-unit campground also is fully handicap accessible. Two National Recreation Trails start at trailheads located within the campground. The CRMP calls for developing roughly 40 miles of hiking, horseback and bicycle trails, including a trail to link the Organ Mountains with the Franklin Mountains State Park in Texas.

The Organ Mountains also provide nationally significant technical rock climbing on quartz monzonite.

Ecological Values

The Organ Mountains rise over 5,000 feet above the Mesilla Valley and encompass 3 major life zones. Their elevation, geology, and geographic position contribute to tremendous biological diversity. The area supports approximately 250 species of birds, 70 species of mammals, and 60 species of reptiles and amphibians. The Organ Mountains contain one of the highest concentrations of threatened and endangered plant species found anywhere in New Mexico. There are 24 known State-listed or threatened and endangered species that occur within the area. These include the Organ Mountain evening primrose and Sneed's pincushion cactus. There are also up to seven species of State-listed endangered birds and two State-listed mammals that occur in the Area.

CURRENT PLANNING AND MANAGEMENT

Over the past 20 years, BLM has studied the Organ Mountains extensively. In 1971, 27,167 acres were designated as Organ Mountains Recreation Lands. A recreation management plan initially prepared in 1971 was most recently revised in 1985. Other land use and activity plans covering the Organ Mountains include the Southern Rio Grande Management Framework Plan and Grazing EIS, Las Cruces/Lordsburg MFP Amendments/EIS, the New Mexico Statewide Wilderness Study, Organ Mountains Scenic Area of Critical Environmental Concern, and Habitat Management Plan for the endangered Sneed's pincushion cactus.

The Organ Mountains Coordinated Resource Management Plan was published in May 1989 and is now the approved management plan for the Organ Mountains.

The Organ Mountain CRMP consolidates the multiplicity of previous plans into one single, comprehensive document. Key management direction from the CRMP directs BLM to:

- Maintain ecological integrity as well as the quality scenic, wilderness, recreation, and natural values of this unique area.

- Acquire remaining private and New Mexico State University lands within the area through purchase or exchange.

- Develop a Cooperative Management Agreement with the Department of the Army at Fort Bliss for joint management of the area.

- Develop a Cooperative Management Agreement with local governments and private institutions to form a Friends of the Mountains group for implementation of the CRMP.

- Develop a Visitor Center, day-use facilities, trails, and interpretive program.

- Inventory and protect significant cultural resources and populations of threatened and endangered plants and animals in the area.

- Partially restore, stabilize, and interpret the historic ruins at Dripping Springs.

- Implement grazing systems, rangeland improvements, and water developments to benefit wildlife, riparian, and watershed values.

COOPERATION WITH THE DEPARTMENT OF THE ARMY

Almost eighty percent or about 48,690 acres of the land within the proposed NCA are public lands administered by the Bureau of Land Management. About 3,680 acres within the proposed NCA were covered by a 1952 withdrawal for the Department of the Army for White Sands Missile Range and later included in the Military Reservation. They currently constitute a buffer zone for the Reservation operations. The total acreage in the proposed NCA then totals 62,240 acres.

Under the cooperative agreement called for in section 6 of the bill, BLM would manage the lands within Fort Bliss which are included in the NCA. The Department of the Army would manage approximately 960 acres of BLM lands.

Apparently there was a failure to add into the total acreage of the NCA, the 3,680 acres of military lands included in it. The correct total is about 62,240 acres.

We understand the Department of the Army opposes giving management responsibility to the Department of the Interior for the 3680 acres of land

west of the topographic crest of the Organ Mountains that is currently a part of the Fort Bliss Military Reservation. Officials at Army advise that the area east of the crest is currently used as a weapon testing area. They have expressed the concern that some ordnance may have inadvertently landed west of the crest. They advise that the presence of unexploded ordnance coupled with risk of this occurrence in the future give rise to concerns for safety of individuals in this area. Therefore we suggest its deletion.

LAND STATUS AND ACQUISITION PLANS

In the past, a scattered, multi-ownership land pattern has contributed to management problems in the area. BLM has taken on that challenge. In cooperation with the New Mexico State Land Office, all of the approximately 6,600 acres of State trust land has been acquired through exchange in the last 4 years. In 1988, The Nature Conservancy acquired the 2,800-acre A.B. Cox Ranch. BLM then acquired the property through a land exchange with the Conservancy, thus protecting this ecologically and strikingly beautiful area. The Conservancy will remain an active partner in helping BLM manage the Cox Ranch property. Land acquisition efforts are continuing, with about 7,700 acres of private land and 2,100 acres of property owned by New Mexico State University to be acquired. A land exchange with the University is near completion along with several private exchanges.

We note that section 4 of the bill contains the sense of the Congress that land exchanges be completed in 4 years. We should note that since exchange is to be based on "willing" landowners, imposition of a time limit is not practicable. We agree that this is a desirable objective, but recommend

deletion from the legislation. If this language is retained we understand that it is in the nature of a policy objective rather than a directive.

Subsection 4(b) contains standards for exchanges. We see no need for separate exchange language in this bill. In order to simplify the exchange authority and reflect exchange policy approved by Congress in FLPMA, as amended by the Federal Land Exchange Facilitation Act, we urge deletion of the separate specific exchange provision in subsection 4(b) by placing a period after the word "Act" in line 15 on page 4.

CONCLUSION

With the limited exceptions I mentioned concerning the land acquisition authority, S. 2143, if amended as we propose, would be fully consistent with our present and projected management and development plans for the Organ and Franklin Mountains area. Enactment and establishment of an NCA encompassing these lands would support and complement that management and would even more appropriately recognize the significant and varied resource values there. It would benefit the local economy as well. For these reasons, I strongly urge its enactment, amended as suggested.

Attached to my statement is a minor technical correction. It should be noted that S. 2143 does not entail significant costs over and above those envisioned in our current planning. If the NCA were established, we estimate land acquisition costs would be up to $1 million per year for six years if all the lands were acquired by purchase. However, we believe most of the private

lands can be acquired by exchange so that the total amount needed for purchase could be considerably less. Funds for this purpose would compete with other land acquisition priorities in the normal budget process utilizing the Administration's Land Acquisition Criteria.

Thank you for the opportunity to present our views. I will be happy to answer your questions.

Attachment I

Technical Correction

P. 5, line 22 and p. 6 line 1 delete the "i" from the word "ordinance".

MAY 1 1990

STATEMENT OF DEAN STEPANEK, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, UNITED STATES SENATE, ON S. 2014, A BILL "TO DIRECT THE SECRETARY OF AGRICULTURE AND THE SECRETARY OF THE INTERIOR TO PROVIDE INTERPRETATION AND VISITOR EDUCATION REGARDING THE RICH CULTURAL HERITAGE OF THE CHAMA RIVER GATEWAY REGION OF NORTHERN NEW MEXICO."

I appreciate the opportunity to appear before you today to present the Department's views on S. 2014, the proposed "Chama River Gateway to the Past Interpretation and Visitor Education Act of 1990".

We support the enactment of S. 2014.

The bill directs the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior, acting through the Director of the Bureau of Land Management, to cooperatively develop and implement a program of interpretation and visitor education regarding the prehistoric and historic resources within the Chama River Gateway Region, north of Santa Fe, New Mexico.

Not later than 12 months after enactment of S. 2014, the Secretaries would be required to develop an Interpretation and Visitor Education Plan for the Region that describes and prioritizes opportunities for interpretation and visitor education regarding the prehistoric and historic resources that they identify as being suitable for the Region's visitors. The Plan would be required to consider a diverse range of opportunities for such interpretation and education, including guided and self-guided tours for automobiles, hikers, and rafters; interpretive centers and displays; audio-visual presentations; demonstrations; and signs, exhibits, and brochures.

For the cultural resource properties in the Region, the Secretaries would be required to develop uniform policies and consistent procedures for complying with the National Historic Preservation Act; issuing permits pursuant to the Archeological Resources Protection Act of 1979; consultation with Indian, Hispanic and other local residents and communities; and for visitor center development, patrol and monitoring. In implementing the Act, the Secretaries would be required to --

- o Develop and periodically update a long range strategy for implementation of the Plan;

- o Establish, designate, and sign tour routes identified in the Plan not later than 2 years after enactment;

- o Direct interpretive and visitor education efforts initially towards properties managed by the Bureau of Land Management and the Forest Service, especially those accessible by public road or trail;

- o Publish and periodically update a brochure describing the interpretative and educational opportunities in the Region that are available to the public;

- o Consult with and enter into cooperative agreements with other Federal agencies, State and local agencies, Indian tribes, Hispanic groups, and other interested parties to carry out this Act; and

- Develop a long range strategy for completion of needed inventory, evaluation, nomination, protection, and interpretation of significant cultural resource properties on Bureau of Land Management and Forest Service lands in the Region.

In addition, S. 2014 directs the Secretary of Agriculture to develop, maintain, and operate, in cooperation with other Federal agencies and other public and private entities, a portion of Agriculture's Ghost Ranch Living Museum as a "Gateway to the Past" visitor center to provide information, orientation, interpretation, and education regarding the prehistoric and historic resources of the Region.

Finally, S. 2014 would authorize to be appropriated such sums as are necessary to carry out this Act.

It is worth noting that the Spanish explorer Coronado marched into New Mexico in 1540 and discovered thriving populations of Pueblo Indians living in large villages containing thousands of inhabitants. The Chama River Gateway Region features some of the largest pueblos in the entire Southwest. Some of these archeological sites contain 2,000 individual rooms and occupy entire mesa tops. Yet, mysteriously, this area was abandoned shortly before Spanish colonization of New Mexico. The reason for the abandonment of the Chama River drainage is a puzzle that archeologists are still attempting to solve. S. 2014 is intended to enhance public understanding of this rich cultural heritage and provide additional protection of the cultural resources of the Region.

Significant recreation planning efforts are already underway by both agencies. The Bureau of Land Management's Recreation 2000 lays out how the BLM intends to expand and improve its recreation program to meet the growing demands for recreation on the public lands of this nation. The Forest Service's National Recreation Strategy also provides direction for developing amenity programs within the agency's mission. Both plans clearly reflect a commitment each agency has made to further its multiple use mandates.

The interpretive program authorized by S. 2014 could become a model interagency cooperative effort that could further the recreation program goals contained in the Bureau of Land Management's Recreation 2000 and the Forest Service's National Recreation Strategy, while stimulating local economic development through tourism. S. 2014 provides a creative and cost effective way to carry out those commitments.

In fact, a cooperative effort is already under way. Over the past year, the Bureau of Land Management, the Forest Service, and the Corps of Engineers have met periodically to coordinate plans for the management of nationally significant archeological resources. Our agencies have produced an Interpretive Prospectus titled Living with the Land: People and Cultures of the Chama, which sets forth our goals for the Region.

The program has three basic elements. First, an interagency Gateway to the Past Visitor Station will be developed at the current Forest Service Ghost Ranch Living Museum on Highway 84. Both the Bureau of Land Management and the Forest Service are committed to beginning construction of the facility this

year. Visitors will be directed to several interpretive loops featuring different mixes of cultural sites. Brochures, videotape programs, posters, publications, and living history demonstrations will be available. Second, unobtrusive on-site interpretation with low-key developments will contribute to a sense of discovery for public visitors hiking up to the ruins. Third, visitor participation and outreach programs will include talks by Native Americans, volunteer projects, and the involvement of the public on stabilization or excavation projects.

What distinguishes this initiative from some others is the extraordinary number of interested partnerships which are forming to cooperatively manage and protect this Region's cultural heritage. Cooperative management agreements are now being finalized to study and interpret the archeological sites and contemporary Native cultures.

This program represents an excellent opportunity to stimulate visitor interest in the past by explaining how human adaptive strategies changed over time. We plan to strengthen site protection by increasing a visible agency presence at sites while increasing the public's appreciation of their cultural and scientific values. We recognize that opening sites for public visitation is not without some risk. However, before they are opened, sites will be carefully mapped and a sample collection made of their surface artifacts. Agency and volunteer patrols will be increased at the sites. Adopt-a-site programs and host caretaker programs will be explored. All interpretive materials, from brochures to on-site signing, will emphasize the need for all Americans to respect and protect archeological sites. We are especially

excited about the prospect of the direct and active involvement of resident Native American and traditional Hispanic communities in the interpretation, management, and protection of their own heritage.

Tourism and its related industries provide more employment than any other industry in New Mexico. The development and promotion of this interpretation and education program could result in hundreds of thousands of additional visitors to the Chama Region. Given the tremendous interest visitors to New Mexico have in exploring our rich archeological legacy, implementation of the provisions of S. 2014 will lead to the development of popular recreation alternatives with positive local economic benefits.

As I mentioned, we are already carrying out some of the actions that would be required under S. 2014. S. 2014 would mandate by law an interpretive and education program for the Chama River Region.

In summary, S. 2014 will assist us in meeting our obligations under the Archaeological Resources Protection Act and the National Historic Preservation Act. The interpetation and recreational use of archeological resources, if done wisely, can lead to resource protection as well as regional growth.

This concludes my statement. I will be pleased to answer questions.

MAY 1 1990

STATEMENT OF DEAN STEPANEK, DEPUTY DIRECTOR, BUREAU OF LAND MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS, COMMITTEE ON ENERGY AND NATURAL RESOURCES, UNITED STATES SENATE, ON S. 2432, A BILL "TO PROVIDE FOR PAYMENTS IN LIEU OF TAXES TO BE MADE WITH RESPECT TO CERTAIN LANDS CO-MANAGED BY THE BUREAU OF LAND MANAGEMENT AND THE SECRETARY OF THE ARMY."

I appreciate the opportunity to be here today to discuss S. 2432 which relates to payments in lieu of taxes with respect to McGregor Range. Specifically, S. 2432 would provide that land in the McGregor Range that is described in section 1(d)(2) of the Military Lands Withdrawal Act of 1986, Public 99-606, which is co-managed by the Secretary of the Interior through the Bureau of Land Management under an agreement with the Secretary of the Army shall be deemed to be entitlement land under section 6901 of title 31 of the United States Code, popularly referred to as the "Payments in Lieu of Taxes Act (PILT)"

We object to enactment of S. 2432 and are concerned about the implications the bill raises.

PILT authorizes payments to units of general local government in which entitlement land is located. Payment is made pursuant to a formula based on the population and the amount of entitlement land in the unit of local government. Land owned by the United States Government that the Secretary of the Interior administers through the Bureau of Land Management is included in the definition of entitlement land. The payments are designed to supplement other Federal receipt-sharing payments that local governments receive.

Our Solicitor has advised us by memorandum that public land withdrawn for military use does not qualify as entitlement land even though the Bureau of Land Management may by agreement administer some non-military uses on the land. Therefore, land in Otero County, in which McGregor Range is located, would not qualify as entitlement lands under current law. S. 2432 would qualify that land.

There will be no benefit to Otero County at this time. Under the PILT formula, Otero County has reached its maximum population ceiling that limits payment to $1 million and any increase in acreage will have no effect on the County's payment.

Our concern about S. 2432 is that it is precedent setting. Public Law 99-606, in addition to withdrawing McGregor Range, also withdrew 5 additional military installations, and requires co-management of resources in all of them, just as is required in McGregor Range. Other military withdrawals being considered by Congress have similar provisions. In addition, passage of this legislation may raise the question of whether the policy of qualifying military lands as entitlement lands should apply not only to withdrawn military lands but also to acquired military lands similarly managed.

We would point out that counties with military installations receive numerous economic benefits already including increased Federal payrolls related service industry growth and Federal impact aid.

This concludes my statement. I will be pleased to answer questions.

Senator BINGAMAN. Let me defer to Senator Domenici for his questions.

Senator DOMENICI. Well, first on McGregor let me just say upon further review, I have cosponsored it, and I want to give you my reasoning and then if it deserves any comment, fine.

But essentially what I found out was that any objection to this increasing payments to Otero County automatically, that that would not occur because you have a million dollar limit. We do now, and I don't know that this bill purports to change that. And consequently, this county is almost getting a million dollars. So, we would not be trying to change the distribution system, but we would, on the other hand, establish that when we have a reservation like this that looks—I do not want to use Mr. Darman's if it looks like a duck——[Laughter.]

Senator DOMENICI. But in any event, it seems to me if it just looks like in all respects the typical multiple purpose area for the public that would inure to the benefit of the county under PILT, I do not see any real danger in going ahead and designating it. I did not think that at first, but the more I thought about it, it seemed logical to me. And that might be the distinguishing characteristic and quality of the legislation, if we were very careful with it, so that it would not be a precedent for all of them, but rather for any that looked exactly like the surrounding area that qualifies for PILT.

Having said that, I want to just finish the million dollar statement. Frankly, if this were part of a forest or BLM land right now, it would not add to PILT payments to Otero County. If it were part of it even back when we described it, they would over-qualify and they would get a million dollars. So we are not punishing them or helping them, but we are establishing that if we ever change the whole PILT system and provide more money, they do have a larger qualifying area. And I think that is pretty fair in my opinion. That is sort of why I think we ought to do it. But I understand your objection.

On Organ, while I was out for a moment, did anybody describe what the recreational developments which were proposed would be? And what do you propose to do to protect the threatened and endangered species and cultural resources? And maybe I would put them together and say I understand this proposal is to try to do both. And I assume that if some people are opposed, they would be opposed on the basis that there might not be enough endangered species and cultural resource protection which could be adversely affected by recreation development. As professional managers, without going into detail, could you describe the relationship of those two as you see it?

Mr. WOODARD. Yes. We have worked very closely with the Nature Conservancy. We have identified the areas of endangered plants. We intend to protect those. We are now protecting them with both fencing and patrolling.

As to the cultural resources, we are primarily talking about the old Van Patten Ranch and Dripping Springs. That has been recommended for the National Historical Register. We are very closely monitoring the number of people who go into that area.

As to recreation use, it has skyrocketed on us. We were not aware, when we took over this property a year ago, of the immense number of people who would come. We had to turn them away on Easter Sunday and the following weekend. We could not accommodate them.

So, there is a demand on the edges of this for outdoor recreation. We think we can accommodate that with some expanded campground or picnic areas, and accomplish the other two goals also, protecting threatened and endangered and the cultural resources.

Senator DOMENICI. Where do most of the people that you find are using the recreation areas now come from?

Mr. WOODARD. It is about 50-50: 50 percent from the New Mexico side of the border, and the other half are coming from El Paso.

Senator DOMENICI. Do you have a current plan for how those recreation areas would be developed so as to be properly used and be accommodating for the people who are going to try to use them?

Mr. WOODARD. Yes, we do, Senator, and that plan is complete as of a year ago. And with appropriate funding, we are prepared to implement it.

Senator DOMENICI. Thank you very much.

Thank you, Mr. Chairman.

Senator BINGAMAN. Let me now call on Mr. Overbay to go ahead and tell us the Forest Service position on any of this legistation that you have a partiaular interest in.

STATEMENT OF JAMES C. OVERBAY, DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. OVERBAY. Thank you, Mr. Chairman.

I will comment first on the Chama River Gateway bill since we are a full partner with the BLM on this legislation. We believe that this bill will open exciting opportunities for the residents of New Mexico and visitors to gain an appreciation of the very rich cultural heritage of the Chama River Valley.

We do propose one minor amendment. The bill requires two actions. One it requires completion of an interpretation and visitor education plan by the two secretaries within 12 months. This plan exists in draft today. It is currently being revised, and we can meet that time schedule very easily.

But the bill also requires that no later than two years after enactment, the secretaries would be required to establish, designate and sign tour routes identified in the plan. We believe the two-year implementation period should be extended to three years.

You heard Congressman Richardson explain that there are some local concerns about some of the impacts of the implementation of this bill and the tours and whatnot. We would like to have a little more time to work with some of the local folks to get agreement on just where those tours would be, et cetera.

We also believe that those interpretative loops should be an option rather than the prescribed method of interpretation in case some of the local people have some different ideas.

With those two minor amendments, we do strongly support the bill, though.

Senator BINGAMAN. All right. Are there other of these bills you wanted to comment on?

Mr. OVERBAY. Yes. I would like to also comment on S. 1831 which would convey without compensation the Old Taos Ranger District Office and Warehouse to the Town of Taos. That is the one bill that just affects the Forest Service only.

We do support the proposed conveyance, but we oppose conveyance without reimbursement to the Federal Government. We also oppose relinquishing the facilities that are currently occupied by personnel of the Carson National Forest without some provision being made for acceptable replacement facilities or at least giving some adequate time in which we can seek replacement facilities.

We recommend that S. 1831 be enacted only if amended to require an equal value exchange or payment of fair market value and to authorize Carson National Forest personnel to continue to occupy the property without payment of rent or fees until suitable replacement facilities could be obtained.

We also believe, though, that the broader general public should benefit from conveyances to local communities of this type. So, we do support the concept of the bill.

And we have presented the recommendations in the form of a substitute bill that is attached to my testimony, and I would like to have that included in the record.

With that, I will answer any questions you may have.

Senator BINGAMAN. Okay, we will include that in the record.

[The prepared statement of Mr. Overbay on S. 1831, S. 2014, S. 2165 and S. 2429 follows:]

STATEMENT OF
JAMES C. OVERBAY, DEPUTY CHIEF
FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands, National Parks and Forests
Committee on Energy and Natural Resources
United States Senate

Concerning S. 1831, S. 2014, S. 2165, and S. 2429

May 1, 1990

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to offer our views on the bills being discussed today. My comments concern only four of the bills, as the remaining bills do not involve the Department of Agriculture.

S. 1831, REGARDING THE "OLD TAOS RANGER DISTRICT OFFICE AND WAREHOUSE":

S. 1831 would convey, without compensation, the "Old Taos Ranger District Office and Warehouse" to the Town of Taos, New Mexico.

We support the proposed conveyance, but we oppose conveyance without reimbursement to the Federal Government. Furthermore, we oppose relinquishing facilities currently occupied by personnel of the Carson National Forest without provisions being made for acceptable replacement facilities. Therefore, we recommend that S. 1831 be enacted only if amended to require an equal value exchange or payment of fair market value, and to authorize the Carson National Forest personnel to continue to occupy the property without payment of rent, or other fees, until suitable replacement facilities are made available for their relocation.

The land was purchased by the Forest Service in 1937 to provide an office location for the Taos Ranger District. Since that time, the site has been continuously occupied by the Forest Service. Currently, the facilities are used by part of the Forest Supervisor's staff because the Supervisor's office, which we lease from a private party, is too small to accommodate all of the staff. We are negotiating with the owner of the Supervisor's office for construction of an addition to accommodate the Forest Service staff occupying the "Old Taos Office and Warehouse." Although we are hopeful that space will be available before the end of the year, we have no assurance that this will be the case. Accordingly, until such time as satisfactory space is available for the staff persons occupying the "Old Taos Office and Warehouse," we feel strongly that the bill, as introduced, is unacceptable.

We also believe that the broader general public should benefit from conveyances to local communities. In keeping with national direction that disposals of Federal land should be at fair market value, we strongly urge the committee to consider amending the bill to require compensation at fair market value through a land exchange or payment.

The "Old Taos RD Office and Warehouse" property was appraised in January 1987 at $230,000. Based on that appraisal, we estimate that the current value is about $360,000. This amount would not be sufficient to buy replacement land and build a satisfactory new office for the staff displaced by this proposal. However, we recommend that any funds collected from the sale of the property be deposited into a special account, which would be available to the Secretary for the acquisition of other lands or interests in lands in the State of New Mexico

that are desirable for improvement and management of the National Forest System.

Our recommendations are presented, in the form of a substitute bill, in our supplemental statement. I request that the supplemental statement be included in the hearing record along with my testimony.

S. 2014, REGARDING THE CHAMA RIVER GATEWAY REGION:

We strongly support S. 2014, the "Chama River Gateway to the Past Interpretation and Visitor Education Act of 1990", with one minor amendment. The interpretive programs provided for in this bill would open exciting opportunities for residents of northern New Mexico and visitors to gain an appreciation of the rich cultural heritage of the Chama River Valley.

Recent information indicates that visiting historic sites ranks among the top two or three activities visitors seek as they plan their vacations. This is especially true in the Southwest. We believe we have an opportunity to offer visitors a unique experience when they visit sites on National Forest and Bureau of Land Management lands in the Chama River Valley--a chance to enjoy "discovering" sites in a relatively undisturbed and undeveloped setting. These interpretive opportunities will compliment the experiences already offered by more highly developed parks and monuments established in northern New Mexico.

In cooperation with the Bureau of Land Management and other partners in the Chama River Valley, we would be able to examine and develop interpretive and educational opportunities throughout the Gateway Region. There would be opportunities to tell the story of this area's history and prehistory; from the

earliest archaic hunters and gatherers, to the pueblos builders of the 14th and 15th centuries; to the Native American groups of the 18th and 19th centuries; to the present ranchers today.

Enactment of S. 2014 would require completion of an Interpretation and Visitor Education Plan by the Secretaries of the Interior and Agriculture within 12 months. This plan exists in draft form today and is currently being revised. We support the concept of a cooperatively developed plan.

S. 2014 would also require that no later than 2 years after enactment, the Secretaries would be required to establish, designate, and sign tour routes identified in the plan. We believe the 2-year implementation period should be extended to 3 years. This would allow time to fully address local concerns and involve the public in developing protection and interpretation plans for specific sites. The additional year would also assure adequate time to carry out necessary site repair and stabilization work prior to opening sites for visitation. We also believe the interpretive loops should be an option rather than the prescribed method of interpretation. Such flexibility will assure that each individual site will receive the form of interpretation best suited for the site and its location.

Our recommendations are presented, in the form of amendments, in the supplemental statement I referred to earlier.

S. 2165, REGARDING THE GLORIETA NATIONAL BATTLEFIELD:

We defer to the Department of the Interior for an overall recommendation regarding establishment of the Glorieta National Battlefield.

S. 2429, REGARDING THE MIMBRES CULTURE NATIONAL MONUMENT:

We support the concepts of protecting, preserving, and interpreting the Mimbres culture. We defer, however, to the Department of the Interior regarding the establishment of a new National Park Service unit to accomplish this.

This concludes my testimony. I would be pleased to answer any questions you may have.

SUPPLEMENTAL STATEMENT
UNITED STATES DEPARTMENT OF AGRICULTURE
Concerning S. 1831 and S. 2014

S. 1831, REGARDING THE "OLD TAOS RANGER DISTRICT OFFICE AND WAREHOUSE":

The following is a replacement bill:

A B I L L

To authorize the Secretary of Agriculture to convey certain lands to the Town of Taos, New Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled; That, the Secretary of Agriculture (hereafter "Secretary") is authorized to convey by quitclaim deed to the Town of Taos, New Mexico, subject to the provisions of Section 2 of this Act all right, title, and interest of the United States in and to the following described tract of land and improvements thereon (hereinafter called "property"):

That property locally referred to as the "Old Taos Ranger District Office and Warehouse" located within the Town of Taos, Taos County, New Mexico, containing 0.633 acres, more or less, more specifically described in that certain warranty deed dated January 22, 1937, from William T. and Mary E. Hinde, husband and wife, to the United States of America, as recorded in the official records of Taos County, New Mexico, on January 23, 1937 in book A-34, Page 415 Record of Deeds of said Taos County.

Sec.2. Conditions.

(a). Any conveyance pursuant to Section 1 shall be conditioned upon the Secretary entering into an exchange agreement with the Town of Taos, sufficient to assure the Secretary that the Town of Taos will provide to the United States such land suitable for National Forest System purposes within the State of New Mexico, which is equal in value or equalized by cash payment to the property authorized to be conveyed as determined by the Secretary.

(b). The Town of Taos, may at the discretion of the Secretary, deposit cash in an amount not less than the fair market value, upon the date enactment of this Act, of the property conveyed. The cash so received shall be deposited into a special fund in the Treasury and shall remain available until expended by the Secretary for the purposes of acquisition of land and/or improvements suitable for National Forest System purposes within the State of New Mexico.

(c). The Secretary is authorized to continue to occupy the property without payment of rent or other fees, until such time as suitable replacement facilities, as determined by the Secretary, have been accepted for relocation.

(d). The United States is hereby released from any and all liability arising from the future use of the property affected by this Act.

S. 2014, REGARDING THE CHAMA RIVER GATEWAY REGION:

Amend section 3(c)(1)(B) to extend the time frame for establishing, designating, and signing tour routes and also to give the Secretaries of the Interior and Agriculture discretion to determine if tour routes are the appropriate method to interpret cultural resource sites.

Section 3(c)(1)(B): Delete in its entirety and insert the following in lieu thereof:

"(B) not later than 3 years after the date of enactment of this Act, establish, designate, and sign any interconnected interpretive loops selected through the public involvement process and specified in the Plan (such interpretive loops may be modified from time to time in periodic updates of the Plan);"

Senator BINGAMAN. Let me ask on this Taos building. I went and toured through there a couple, three months ago. I guess maybe a little longer than that now. But my impression at the time was that replacement facilities were being constructed.

Mr. OVERBAY. We lease the supervisor's office for the Carson National Forest in Taos, and we are working with the owner of that structure to see if we can get some additional space added onto that.

Senator BINGAMAN. So, it is not a question of constructing additional space; it is a question of being able to lease it.

Mr. OVERBAY. That would be the quickest thing that we could do, but we have not reached agreement with the owner at this time. So, we do not have any space right now to place those employees.

Senator BINGAMAN. So, you just want to be sure that if legislation was passed, it had a provision that said you folks could keep the building as long as you needed it or keep parts of it as long as you needed to.

Mr. OVERBAY. Yes, sir.

Senator BINGAMAN. Do you have an estimate on what the fair market value of the property is?

Mr. OVERBAY. We appraised the property in January 1987 for a value of $330,000, and we estimate that the current value is probably about $360,000.

Senator BINGAMAN. That is all the questions I had.

Senator Domenici?

Senator DOMENICI. Mr. Chairman, would you permit me to go back to the Park Service for just one question on their plans?

Senator BINGAMAN. Sure.

Senator DOMENICI. The proposed overall criteria that you want to establish, which you have explained to us—the more I thought about it, the more I wondered is that criteria of a generic nature, and if so, does it also, in addition to that, include some criteria regarding priorities?

Mr. RIDENOUR. Let me give you my feeling as to how it should come out. At least this is the way that we are moving as of today. We had an early discussion today.

Obviously, there are criteria that we have been operating with over a period of years and I think most recently were updated by our management manual. Those are things like national significance and feasibility and suitability. And those would stay, in my mind, consistent.

What I could see as a possibility that an administration—either in a change in administration or a change in conditions within the period of time an administration is in—there might be priorities. For example, we know the President has talked about wetlands as a priority. We know the President has talked about parks close to the people as a priority, things of that nature.

So, it is a matter of figuring out how to wed what I would call almost two lists, one of which would be the generic example, as you spoke of for the National Park Service, and then the other would be the list of what is the administration's priority. And that is where we are.

Senator DOMENICI. Thank you very much.

I would just comment that it would seem to this Senator that the second aspect of attempting to prioritize in the way that you just did would yield a recommendation from you all based upon it, but that would be an executive preference unless it were adopted by us. So, that does not seem to me to necessarily contribute to the solution of the problem we are having, but we will just wait and see how it comes out.

Do you understand what I am saying?

Mr. RIDENOUR. Yes, sir.

Senator DOMENICI. You would not win in this committee turning down something——

We would not turn something down on the second aspect if we felt something was equally important as the President did, but it wasn't wetlands or wasn't something else. We would take it into consideration, but that would be one of your criteria.

Mr. RIDENOUR. Yes, sir.

Senator DOMENICI. And that might happen. It might happen that way.

Mr. RIDENOUR. Hopefully, these would be the same. They wouldn't necessarily be, but it could potentially have a significant impact on our testimony.

Senator DOMENICI. Well, I want to ask about Taos because I recall back in 1988 that I was asked to do something on this, and I proposed the $35,000 that they were currently paying, that they agree to pay that to acquire from the Federal Government what they needed. And I don't understand now—perhaps you have talked to Taos.

Is Taos willing to apply the $35,000 that they are paying in rent to the acquisition?

Mr. OVERBAY. I do not have that information, Senator.

Senator DOMENICI. But that which they want from us is very accommodating from the standpoint of the layout of their activities, which is one of the reasons they want it. Is that correct? It is right near their governmental complex and would contribute to their ability to administer governmental functions.

Mr. OVERBAY. That is correct. And the building, as I remember—it has been several years since I was there—I think would fit into the culture of that town very well. I think this would be a very good use of it. Our principal objection is that we would like to get fair market value for it.

Senator DOMENICI. Thank you very much.

Senator BINGAMAN. I could respond I think to some of that. I do believe the plan is to use the building for a library, and the expectation would be that there would be substantial cost in remodeling and renovating for that use. And I think for that reason, this town would like not to continue paying the annual rental or the equivalent of the annual rental to the Forest Service. I think their hope is that they could use that amount to do the renovation.

Let me ask the Park Service one other question before we dismiss this panel. Does the report on the Mimbres that you have prepared and submitted contain in it your preference as to a site for the visitors center that is contemplated there?

Mr. FARIS. Mr. Chairman, we evaluated several sites in Silver City for a potential visitor center. We did not propose one over the

other. We simply did an evaluation, architectural engineering and cost evaluation of the pros and cons of using various facilities. And as I believe the bill is currently drafted, a decision would not be made until such time as we have done further evaluations through our planning process before we would decide precisely where such a facility would be located.

Senator BINGAMAN. And is that your preference, you would like to have that decision deferred until you can do those additional studies? Is that correct?

Mr. FARIS. That is correct.

Mr. RIDENOUR. If I could, just one more.

Senator BINGAMAN. Yes.

Mr. RIDENOUR. There are a number of things, including some maps and charts, that we would like to submit for the record if that is possible.

Senator BINGAMAN. We are glad to have those. How many of them we can get reproduced and put in this record, I am not sure.

Mr. RIDENOUR. We will get them in condition so you can have them.

Senator BINGAMAN. Great. We will be glad to include whatever we can.

I appreciate all of your testimony and your help with these pieces of legislation.

Why don't we go ahead to the third and final panel: Dr. Dale Giese, who is at Western New Mexico University; Debbie Sease, who is the Washington Director for Public Lands Programs for the Sierra Club; and Bruce Craig, who is with the National Parks and Conservation Association.

As I think I indicated at the first or should have indicated at any rate at the first of the hearing, we will be glad to include the total statement that you have prepared in the record so you do not need to go through it entirely. If you would want to summarize it, I think that would be most helpful. And then we may have some questions at that time.

Dr. Giese, did you want to go ahead first? I assume your testimony is most directly focused on the Mimbres. Right?

STATEMENT OF DR. DALE GIESE, PROFESSOR, WESTERN NEW MEXICO UNIVERSITY, SILVER CITY, NM

Dr. GIESE. Correct.

I bring you greetings from Silver City.

Senator BINGAMAN. I hope to be there in 10 days.

Dr. GIESE. And from your dad.

Senator BINGAMAN. All right. I appreciate that.

Dr. GIESE. Mr. Chairman and members of the subcommittee, my name is Dale Giese. I am a history professor at Western New Mexico University in Silver City, and in this capacity, I teach American and world history, and I also serve as chairman of the Western New Mexico University Museum. Before coming to Western over 20 years ago, I served with the National Park Service at Carlsbad Caverns and Fort Union and Petersburg Battlefield.

Some 16 years ago, I was instrumental in beginning the museum at Western, and I have served as the museum committee chairman since then.

The Western New Mexico Museum houses over 300 pieces of Mimbres pottery which is one of the largest and finest collections in the southwest. The museum contains more than 13,000 square feet of usable floor space. The National Park Service and the Western New Mexico University could easily enter into a cooperative agreement for using this museum.

It is most important and imperative that the Mimbres Cultural National Monument be established at this time. Mimbres culture is not only of national, but international significance. On a recent trip to Stockholm's Folkens Museum, I was surprised to learn of their collection of Mimbres pottery. Cambridge University and the National Museum of Denmark also have Mimbres collections. I ask that a survey of Mimbres collections prepared by the university be submitted for the record. At least these collections are fairly well protected, albeit it far from the United States. Much of the pottery in private hands will never be seen by the public.

The other reason for establishing the Mimbres Cultural National Monument is far more important: protection. If we do not do it now, it might be too late. Many of the important Mimbres sites on private and public lands are being looted almost daily. Only recently a large collection of bowls was sold to individuals in West Germany. People in Japan and many other countries have purchased many of these bowls. Foreigners are buying our culture from the USA. Bidding has pushed the price of this pottery to many, many thousands of dollars per bowl. One bowl sold for $82,000. The southwest is bleeding from this injustice, and the proposed national monument will be a good step in the right direction.

Western New Mexico University is ready and willing to cooperate in any possible way to further the protection of this valuable resource, to enhance the study of the Mimbres culture and to aid the National Forked Lightning Ranch to preserve this important southwestern culture for present and future generations.

I ask that a letter from the acting president of Western New Mexico University, Allan De Giulio, be submitted for the record.

Senator BINGAMAN. We will be glad to include that and also the inventory of museums that do have Mimbres collections.

[The prepared statement of Dr. Giese and information referred to follows:]

STATEMENT OF

DR. DALE GIESE, PROFESSOR

WESTERN NEW MEXICO UNIVERSITY

Before the

Subcommittee on Public Lands, National Parks and Forests

Committee on Energy and Natural Resources

United States Senate

Concerning S.2429

May 1, 1990

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

My name is Dale Giese, and I am a history professor from Western New Mexico University in Silver City, New Mexico. In this capacity I teach American and world history, and I also serve as chairman of the Western New Mexico University Museum. Before coming to Western over twenty years ago, I served with the National Park Service at Carlsbad Caverns National Park, Fort Union National Monument and Petersburg Battlefield.

Some sixteen years ago I was instrumental in beginning the museum at Western, and I have served as the museum committee chairman since that time.

The WNMU Museum houses over three hundred pieces of Mimbres pottery which is one of the largest and finest collections in the Southwest. The museum contains more than 13, 000 square feet of usable floor space. The National Park Service and the Western New Mexico University could easily enter into a cooperative agreement for using this museum.

It is most important and even imperative that the Mimbres Culture National Monument be established at this time. Mimbres culture is not only of national, but international significance. On a recent trip to Stockholm's Folkens Museum, I was surprised to learn of their collection of Mimbres pottery. Cambridge University, and the National Museum of Denmark also have Mimbres collections. I ask that a survey of Mimbres collections prepared by the University be submitted for the record. At least these collections are fairly well protected, albeit far from the United States. Much of the pottery in private hands will never be seen by the public.

This other reason for establishing the Mimbres Culture National Monument is far more important--protection. If we do not do it now, it might be too late. Many of the

important Mimbres sites on private and public lands are being looted almost daily. Only recently a large collection of bowls was sold to individuals in West Germany. People in Japan and many other countries have purchased many bowls. Foreigners are buying our culture from the USA. Bidding has pushed the price of this pottery to many, many thousands of dollars per bowl; one bowl sold for $82,000. The Southwest is bleeding from this injustice, and the proposed National Monument will be a good step in the right direction.

Western New Mexico University is ready and willing to cooperate in any possible way to further the protection of this valuable resource, to enhance the study of the Mimbres culture, and to aid the National Park Service to preserve this important Southwestern culture for present and future generations. I ask that a letter from the Acting President of Western New Mexico University, Allan De Giulio, be submitted for the record.

Western New Mexico University

Office of the President

April 25, 1990

Mr. David M. Vacker
Special Projects
524 Hart Senate Office Bldg.
Washington, DC 20510

Dear Mr. Vacker:

Western New Mexico University supports the creation of the Mimbres Cultural Monument in Silver City and will aid in the curation of artifacts.

Please let us know if there are any other ways in which we may show our support for this important endeavor.

Sincerely,

Allan De Giulio
President (acting)

ADG/cm

xc: Dr. Dale Giese

P.O. Box 680 Silver City, New Mexico 88062

	1	2	3	4	5	6	7	8
1	MIMBRES COLLECTIONS SURVEY BY ANDREW GULLIFORD			August 1989				survey (c) 1989 Andrew Gulliford
2								
3	NAME OF INSTITUTION	# OF CERAMICS	% GEOMETRICS	% PICTURE BOWLS	OTHER ITEMS	MIMBRES ON LOAN	PHOTOS	SUPPORTING MATERIALS
4								
5	Smithsonian-Nat. His.	190	50%	50%	sherds	no	yes	field notes, computer inventory
6	Logan Museum, Wis.	240	50%	20% estimate	1500+ sherds	no	yes	correspondence, notes, tools
7	Museum of Amer. Ind.	328	51%	15.2% estimate	178 lithics	no	yes	correspondence w/ collectors
8	Met Museum of Art, NY	10	60%	40%	no	no	yes	no supporting materials
9	Southwest Museum, LA	150	55%	16%	33 lithics	no	yes	correspondence files, photos
10	Texas A&M University	200+	80%	20%	20,000 lithic	Yes, all of it	yes	extensive Nan Ranch reports
11								
12	Museum of N. Arizona	155	82%	17% estimate	5 boxes lithic	yes	yes	catalog entries, Treasure Hill Site
13	Heard Museum, Phoenix	35	50%	50%		no	yes	includes double rabbit platter
14	Arizona State Museum	162	uncertain	uncertain	uncertain	no	some	Gila Pueblo archives, notes, files
15								
16	NMSU Museum, NM	6	50%	50%	lithics, bone	yes	yes	field notes, maps, skeletal mat.
17	Millicent Rogers, Taos	39	8%	92%		no	slides	
18	WNMU Museum, NM	400	68%	32%	organics	120 bowls	yes	Grant Co. Arch Soc files + notes
19	Maxwell Museum, NM	304	68%	32%	sherds cu. ft.	yes	no	slides, catalog records, organics
20	Deming Luna Museum	6	50%	50%	lithics, tools	45 bowls	no	bowls on loan + awls, tools, beads
21	Geronimo Springs, TorC	100	uncertain	uncertain		no	yes	collection gift 1983, uncataloged
22								
23	Museum of W. Colorado	32	66%	34%	stone effigy	no	no	photos of bowls in J.J. Brody book
24	Colorado His. Society	6	50%	50%		no	some	
25	Colo. Springs Art Center	25	50%	50%		no	yes	Purchased in 1936 from R. Eisele
26	U of Colorado Museum	150	uncertain	uncertain		no	some	From Eby site by Earl Morris
27								
28	INTERNATIONAL MUSEUMS							
29								
30	Cambridge University Cambridge, England	11	70%	30%	sherds			no gift agreement, exchange
31								
32	The National Museum of Denmark	10	40%	40%	1 lithic	no	no	from Museum of American Indian the Heye Foundation in NYC
33								
34	Folkens Museum Stockholm	8	uncertain	uncertain				gift to the King of Sweden from Harvard U's Peabody Museum
35								
36								
37		2,367 +				365+		
38		CERAMICS				MIMBRES ON LOAN		
39								

Senator BINGAMAN. I appreciate very much your testimony. We will have questions once we hear from the other two panelists.

Debbie, did you want to go ahead?

STATEMENT OF DEBBIE SEASE, WASHINGTON DIRECTOR, PUBLIC LANDS PROGRAM, SIERRA CLUB

Ms. SEASE. Certainly. Thank you, Mr. Chairman. I appreciate this opportunity to testify on behalf of Sierra Club. We have a half a million members who care deeply about the public lands.

Before I offer comments on the specific bills, I would like to express my appreciation and the Sierra Club's appreciation for both of your indefatigable efforts on protecting and preserving New Mexico's rich cultural heritage and its special lands. I started yesterday in preparing this testimony to list them, and realized that I would have to summarize because you have been such prolific legislators on behalf of New Mexico. I have enjoyed working with both of you on the El Malpais and the San Juan Basin, Chama River, and I look forward to working with you both on these bills as well. I also hope that you do not stop now because although this is a good beginning for New Mexico, it is a land whose diversity is extraordinary. And as the Land of Enchantment, it needs even more special areas set aside than it has today.

The Mimbres Cultural National Monument bill is an act the Sierra Club is very pleased to support. I spent many years living in Glenwood, New Mexico, and watched my neighbors as they plowed their fields find Mimbres pots. I myself hiking in the wilderness in areas around there came upon pot chards and, in fact, entire pots, and wished that I had felt more comfortable leaving them that I would find them when I came again.

So, I think time is of the essence on establishing a national monument. Regardless what kind of criteria the National Park Service should establish, I cannot imagine that a monument protecting and interpreting the Mimbres cultural area could fail to meet that criteria. So, I would urge you to move forward with this legislation.

The Organ Mountains National Conservation Area. It is legislation I am very pleased to testify on. I grew up in Las Cruces and like many of the residents there, was fascinated by watching the mountains, hiked in La Cueva and was very pleased to see that BLM developing the Aguirre Springs and making this fascinating mountain range more accessible to the people.

The Sierra Club and other New Mexico conservationists support the concept of national conservation areas. It is a very important management tool. The El Malpais is an excellent model. The San Pedro National Riparian Conservation Area in Arizona is another good model.

Our original thought on timing was that this would be dealt with at the same time that the New Mexico statewide wilderness proposals are dealt with. If the delegation sees fit to move forward at this time, we would urge you to not release any of the wilderness study areas until such time as the wilderness question is fully addressed.

Also, if you move forward, there is a number of improving amendments that we would recommend. We have alternative

boundaries proposed and I had hoped to have the map today, but it did not arrive yet. So, if I could submit for the record at a later time.

Senator BINGAMAN. We will be glad to include that.

Ms. SEASE. Thank you.

A national conservation area is a congressional designation. It is not an administrative designation, and as such we think it is important that it establish very clear guidelines and a very clear mandate for the agency. I would like to see in future conservation areas that we avoid the problems that occurred in the California desert where the Congress in a well-meaning fashion told the BLM to be all things to all people. We find ourselves 10 years afterward struggling over legislation to give better guidance. So, I would hope in this instance, we would give the guidance in the first place.

If you look at the models of the San Pedro, there is excellent language that suggests that the management is guided by this act and we are not inconsistent with this act, the provisions of the Federal Land Policy and Management Act, suggesting that this is, in fact, an overlay on the Federal Land Policy and Management Act for this particular area.

It also suggests the Secretary allow such uses that enhance and further the primary purposes. I think that that is a good bench mark to use.

It also notes that the Secretary has the power to limit visitation. I think it is important, as Senator Domenici pointed out, that the Organ Mountains be made available to the people. It is conceivable the demand from people will be infinite, and the Organ Mountains, of course, are not infinite.

Provisions such as these will assure concerned citizens that this is, indeed, a permanent congressional designation and that it is something more than a change in the name. I think that the public has concerns with administrative designations. The Forest Service many years ago administratively established the Gila Wilderness, and that showed great farsightedness. It showed great shortsightedness a few years later when they eliminated a portion of the Gila Wilderness that was administratively designated. So, we have become very attached to congressional designations. It provides some permanence.

I look forward to working with the delegation on implementing some of these suggestions on the Organ Mountains.

On the Glorieta National Battlefield Establishment Act, the Sierra Club supports the initiative, and we would urge that the bill be amended to delete the limitation on condemnation authority. It is conceivable that 121 acres would be sufficient, but I would hate to see us tie the hands of the Park Service. If we are going to protect this battlefield site, we should leave them the options to do it as they see fit.

On the Pecos National Historical Park Act, the Sierra Club supports the incorporation of the Pecos National Monument and the surrounding Forked Lightning Ranch into a national historic park. And once again, the opportunity may be limited. We have a current owner who seems to be willing and ready to sell, and there are other interested buyers who would use this land for development that would be inconsistent with the park purposes.

On the Chama River Gateway, the Sierra Club also supports this. The Chama River receives an incredible amount of visitor use and very few of those visitors are aware of the cultural significance of the area. Such interpretation facilities would be I think a tremendous asset for the area.

On the Zuni-Cibola Historic Park Amendment, the Sierra Club supports extending the time. We would suggest that perhaps four rather than 6 years would be a sufficient time.

Thank you for your attention.

[The prepared statement of Ms. Sease follows:]

SIERRA CLUB

408 C Street, N.E. Washington, D.C. 20002 202·547·1141

STATEMENT OF DEBBIE SEASE
WASHINGTON DIRECTOR PUBLIC LANDS PROGRAM
FOR THE SIERRA CLUB

REGARDING S.2014, S.2165, S.2254, S.2429, S.2430

BEFORE THE
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
PUBLIC LANDS, NATIONAL PARKS, AND FORESTS

MAY 1, 1989

Mr. Chairman, members of the Committee, thank you for this opportunity to testify on behalf of the Sierra Club's half million members regarding these important land and cultural resource protection measures. Before I offer comments on the specific bills, I would like to express the Sierra Club's and my own personal appreciation to New Mexico's Senators for their vision, leadership and prolific efforts to preserve and promote New Mexico's rich cultural heritage and its extraordinary lands.

Senators Domenici and Bingaman, following the tradition begun by Senator Clinton P. Anderson, have already established an important legacy for New Mexico. Through their cooperative efforts, outstanding examples of the San Juan Basin's unique geology and paleontology have been protected, El Malpais National Monument and Conservation Area were established, and 33 miles of the Rio Chama has been added to the National Wild and Scenic Rivers system. Their efforts to provide better interpretation of New Mexico's rich cultural heritage, through designations such as the Masau Trail, and the Boots and Saddles Trail have been equally impressive.

It is fortuitous that New Mexico has had such far sighted representation in Congress, for it is a land blessed with many natural and cultural wonders. The "Land of Enchantment" is fragile, and although the task of safe-guarding its special resources is well-begun, it is by no means over. I have always found it a pleasure to work with New Mexico's Congressional delegation on land and cultural protection measures because of their willingness to give fair consideration to the views of concerned constituents and organizations, and I look forward to working with them on these measures.

Mimbres Culture National Monument Establishment Act of 1990

The Sierra Club is pleased to support S.2429. The Mimbres people, who lived in Southwest New Mexico between A.D. 200 and 1150 were a major part of prehistoric civilization of the American Southwest. The remnants of their culture are largely unprotected and their important place in our history has not been adequately interpreted. We believe that it appropriate and timely to establish a National Monument to preserve and interpret this important cultural resource.

There are those who would delay establishing this monument pending further studies. Unfortunately such action is already too long delayed. The strikingly beautiful Mimbres pottery is world famous and brings an exceptionally high price on the world market. Because of this many Mimbres site have already been destroyed by illegal pot hunters and the remaining sites are threatened.

I lived for many years in this part of New Mexico, where one would frequently find pot shards and arrowheads while hiking, and where it was not at all uncommon for a farmer to unearth pots while plowing a field. This rich legacy from another culture should be protected -- the beauty of the Mimbres culture should be displayed in a museum for all to enjoy. Moreover, this sophisticated culture with its huge pueblos and extensive irrigation systems should be interpreted as an important part of our cultural history.

Organ Mountains' National Conservation Area Establishment Act

I am particularly pleased to testify on legislation affecting the Organ Mountains. I grew up in Las Cruces where watching the play of light and shadow on the Organs is a daily fascination for residents and visitors alike. These mountains contain significant natural resources and would merit special protection no matter where they were located, but being the "back yard" of a major city makes the Organs even more important.

The Sierra Club and other New Mexico conservationists support the concept of creating an Organ Mountains National Conservation Area. We believe that the El Malpais model of a core of wilderness surrounded by the Conservation Area designation is a very workable one. Since there is a wilderness issue to be resolved in the Organs, we feel that it would be logical to wait to establish the Organ Mountains Conservation Area until the delegation is ready to resolve the statewide wilderness package. However, if the delegation should proceed with the Organ NCA at this time it is of paramount importance that none of the areas currently protected in wilderness study status be released prior to resolution of the statewide bill.

There are also a number of improvements we would like to suggest. The boundaries of the proposed NCA leave many important areas unprotected. The map detailing our proposed expansions which I had hoped to be able to give the Committee at this time has not yet arrived. I would like to submit it for the record and your consideration at a later time.

In general, when establishing a National Conservation Area, the Congress should provide clear guidelines for the management of the area. As with the San Pedro and El Malpais Conservation areas, the entire unit should be withdrawn from land disposal laws, hardrock mining and mineral and geothermal leasing. Additionally, the legislation should make clear that the conservation and protection mandate is the guiding principal. For example the San Pedro Conservation Area contains the following provisions:

> ...management shall be guided by this Act and, where not inconsistent with this Act, by the provisions of the Federal Land Policy and Management Act.
>
> The Secretary shall only allow such uses of the conservation area as he finds will further the primary purposes for which the conservation area is established.

> Except where needed for administrative or emergency purposes, the use of motorized vehicles in the conservation area shall only be allowed on roads specifically designated for such use as a part of the management plan.... The Secretary shall have the power to implement such reasonable limits to visitation and use of the conservation area as he finds appropriate for the protection of the resources for the conservation area, including requiring permits for public use, or closing portions of the conservation area to public use.

Provisions such as these provide assurance that the establishment of an NCA is something more than a name change. Moreover, they provide the level of certainty and permanence that the public expects from Congressional designations.

I request that the Committee and the New Mexico delegation amend the bill to address these issues. I would be pleased to work with the delegation to craft acceptable solutions for these concerns.

Glorieta National Battlefield Establishment Act

The perfect time to easily preserve the site of what some historians call the "Gettysburg of the West" has long since passed. The site is currently subdivided and continues to be degraded by new development. The opportunity to preserve and interpret the battlefield is quickly fading.

Sierra Club commends Senator Bingaman for his initiative in seeking to grasp this fleeting opportunity, and preserve this important reminder of the West's role in the Civil War. It may well be possible to accomplish the goals of the legislation with only the authority for condemnation of 121 acres, however, I would urge the Senator and this Committee not to make that judgement now, and not to limit the ability of the Park Service to take the necessary steps to establish a meaningful site. The Sierra Club requests that the 121 acre limitation be deleted.

Pecos National Historical Park Act

The Sierra Club supports the incorporation of the Pecos National Monument and the surrounding Forked Lightning Ranch into a National Historic Park. The proposed park would provide an excellent opportunity for the Park Service to interpret the historic diversity of this

area. Within the proposed boundaries are prehistoric pueblos and trade routes for the Plains Indians and, more recently, 17th century Spanish trade routes. The ruins of what was the largest church north of Mexico before Saint Patrick's cathedral are also in the area and represent a significant historical artifact.

Once again, the opportunity to protect may be very short. The current owners of the Forked Lightning Ranch are ready and willing to sell, and the interested buyers have numerous development plans that would threaten the existing monument and permanently remove the option of expanding the monument to include additional important historical features.

Chama River Gateway to the Past Interpretation and Visitor Education Act

The Chama River, because of its beauty, easy access and recreational opportunities receives a great deal of visitor use. Very few of those visitors are aware of the historic significance of the area. Humans have occupied the area for the last 12,000 years and the cultural resources they have left behind are of national significance. In particular there is a 2000 room prehistoric village.

This bill outlines how the Forest Service and Bureau of Land Management will coordinate the interpretation of cultural resources of the area to provide a recreational and educational experience to residents and visitors to the area. I am pleased to offer the Sierra Club's support for this legislation.

Zuni-Cibola Historic Park Amendment

The Sierra Club supports extending the time for Secretary of the Interior to accept a leasehold interest for inclusion in the park. I question whether six years is necessary and would offer as an alternative that the Committee and Senator Bingaman consider a four year extension.

Mr. Chairman, thank you for your time and your attention to the views of the Sierra Club on these measures.

Senator BINGAMAN. Thank you very much.
Mr. Craig, why don't you go ahead?

STATEMENT OF BRUCE CRAIG, CULTURAL RESOURCES COORDINATOR, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. CRAIG. Thank you, Mr. Chairman. On behalf of the National Parks and Conservation Association, we are pleased to be able to testify today in support of the legislation that is before you. I would like to concentrate my comments today actually on the Pecos and the Glorieta Battlefield, but I would like to speak just very briefly about the Mimbres culture.

The Mimbres culture is a part of our artistic heritage. Certainly it is a part of our heritage of all mankind, and as a nation, we need to respect that fact, and to make a sincere effort to sensitively and accurately portray the culture of these desert artists.

We support the concept of the Mimbres culture visitors center facility that is being proposed in this legislation, and we also support having that National Park Service visitors center be developed in the vicinity, if not in downtown Silver City, New Mexico. We also strongly support the idea of developing a number of satellite localities to which visitors would be able to be directed and to visit in order to have direct contact with the resource base itself.

Regarding the Pecos National Historical Park, this legislation seeks to establish Pecos as a national historical park and authorizes the new park boundary to include some 5,500 acres of the Forked Lightning Ranch. We are supportive of the change in nomenclature provided that the Forked Lightning Ranch is actually acquired by the National Park Service. While we support the redesignation, we believe it should not be renamed until the Forked Lightning Ranch is actually acquired. To this end, we have some suggestions at least for revising section 3 of this bill for your consideration.

With the addition of the Forked Lightning Ranch, the newly designated park would encompass a sufficient number and diversity of significant natural and cultural resources unique enough to the southwest culture to warrant this redesignation. However, in our view, the totality of the resources incorporated in the new boundary should be reflected in the new name. If expanded, Pecos would include far more than just the archaeological resources that are associated with the old Pecos National Monument. It would include natural resources, as well as significant cultural landscape, an important part of a Civil War battlefield, as well as portions of the Santa Fe Trail. To this end, we urge the committee to explore alternative names for the new historical park, perhaps the name Pecos Gateway National Historical Park, or when looking over Senator Domenici's comments today, I came up with another alternative perhaps, which is the Pecos Basin National Historical Park.

We note that the National Park Service has not completed a comprehensive boundary study for this proposed new national historic park unit, and we believe that a study is absolutely necessary. We believe that it is entirely possible that the legislation now before you may need to be amended later on to include other important resources that are associated with the Pecos story as adja-

cent or detached units of the park. The Archaeological Conservancy in recent testimony on this legislation before the House Subcommittee on National Parks and Public Lands stated that the Forked Lightning Ranch is not large enough to complete this task. We agree.

Therefore, we recommend that this legislation be amended to authorize a comprehensive boundary study to assess these and other lands associated with the Pecos River Valley, including the resources associated with the Old Pecos land grant, the Los Trigos land grant, and certainly with the Glorieta Battlefield as well.

On to the Glorieta Battlefield legislation. Many historians believe that portions of the Forked Lightning Ranch, that is the Kozlowski's Trading Post, is an area believed to be a stage stop and a store along the Santa Fe Trail, served as the headquarters for the Union forces during the brief campaign that became known as the Battle of Glorieta Pass. Today we believe it is fortuitous that this subcommittee is considering both the Pecos boundary expansion and the Glorieta National Battlefield legislation as we view the resources of these areas as closely associated.

Mr. Chairman, the National Park Service does not need yet another commemorative Civil War site administered as a national battlefield. If Congress determines that the Glorieta National Battlefield is a resource of national historic significance deserving of designation as a separate National Park Service unit, the area should be established with a boundary large enough to preserve and interpret it as a meaningful park unit.

We feel that that boundary must include lands in the vicinity of three important ranches on the historic Santa Fe Trail which are associated with the battle: Johnson's Ranch, Pigeon's Ranch and also the Kozlowski or the Forked Lightning Ranch area. Several nonprofit groups are currently working to preserve these and other areas that are associated with this battle by acquiring them from willing sellers. NPCA believes that some consideration should be given to preserving the mountainous terrain over which Union Major General John Chivington traveled on March 28, 1862 on his way to the Johnson's Ranch where he found and destroyed the Confederate supply depot.

And in the alternatives that the National Park Service present to the committee, we certainly hope that they will take a look at this area which is mountainous terrain which would not be necessary to acquire this land in fee. In fact, it could probably be preserved very adequately through the acquisition of just simply scenic easements. It also has the advantage of linking the two potential areas that could be part of this new national historical park, this Pecos National Historical Park.

There is another preservation alternative that we suggest that the committee consider. Why not join the noncontroversial land base provisions of the Glorieta bill with the Pecos legislation? In a separate title of the Pecos legislation, the National Park Service could be authorized to acquire up to 750 acres from willing sellers only. And this is a deviation from NPCA's usual position about land acquisition, that in this particular instance, from willing sellers only for the purpose of preserving and interpreting the Battle of Glorieta Pass as part of the Pecos National Historical Park. Per-

haps language in the bill is in order that would authorize the Secretary of the Interior to "from time to time make minor adjustments to the boundary by publication of a revised map or other boundary description in the Federal Register." This would enable the National Park Service to acquire for the Pecos National Historical Park lands significant, necessary and appropriate in order to tell the story of the Battle of Glorieta.

And I make the distinction between being able to tell the story of the Battle of Glorieta and actually designating a national battlefield because they are two somewhat separate issues.

With regard to the Zuni-Cibola National Historical Park recommendations, we are fully supportive of the suggested time extensions.

Mr. Chairman, that concludes my testimony. I would be glad to answer any questions that you may have.

[The prepared statement of Mr. Craig follows:]

70th NPCA

National Parks
and Conservation Association

STATEMENT OF BRUCE CRAIG
CULTURAL RESOURCES COORDINATOR
NATIONAL PARKS AND CONSERVATION ASSOCIATION

Before the
SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS
On S. 2429 Membres Culture; S. 2254 Pecos NHP;
S. 2165 Glorieta National Battlefield; S. 2430 Zuni Cibola NHP

May 1, 1990

My name is Bruce Craig, Cultural Resources Coordinator for the National Parks and Conservation Association (NPCA), a nonprofit membership organization founded 70 years ago. Through our organization's diverse activities, we seek to promote the preservation, protection and public understanding of our nation's National Park System.

Our Association appreciates the opportunity to testify on this legislation all of which relates to nationally significant resources in the state of New Mexico. We commend Senators Bingaman and Domenici for introducing these bills, and we are pleased to support their legislative efforts. We do have a few suggestions for strengthening provisions of several of the bills being considered today and we would like to suggest some ideas for report language.

S. 2429 Membres Culture

This legislation seeks to recognize and preserve a select number of archeological sites associated with the Mimbres culture in New Mexico. Without a doubt, the ancient Mimbres people of today's southwestern New Mexico produced some of the most sophisticated ceramic art the world has ever seen. This art emerged from a complex and harmoniously integrated farming culture that existed (ca A.D. 1000-1150) in the river valleys and deserts centered around today's Silver City, New Mexico. We now know that this culture was one of the most complex that ever existed in the prehistoric Southwest. Most of the hundreds of abandoned villages of the Mimbres people have been gutted by collectors seeking beautiful ceramic vessels, but several remain that could be preserved and interpreted for public appreciation.

There is presently no public park or facility of any kind that interprets the Mimbres culture (including this group's world class ceramic art) to the public. This is a major oversight, considering the number of federal, state and county parks which preserve sites associated with the Anasazi and Hohokam cultures. There is a need for a national effort to present the Mimbres culture to the public. Mimbres culture is part of the artistic heritage of all mankind, and as a nation we need to respect that fact and make a sincere effort to sensitively and accurately portray the culture of these ancient desert artists.

NPCA supports the concept of a Membres culture visitor facility as proposed in S. 2429. We suggest, however, that a National Park Service Visitor Center be developed in Silver City, New Mexico. This facility would display the actual artifacts of the Mimbres people in an accurate interpretive context, thereby enabling visitors to appreciate the aesthetic value of the artifacts and understand the way of life of the Mimbres people. We suggest the Visitor Center not become merely a curatorial facility but should be an interpretive facility, largely utilizing artifacts that are loaned from existing collections. Care must be taken to provide adequate security and facilities to receive, store, prepare for exhibit and display artifacts. We envision the scope of the Visitor Center as being no more complex than the museum near Spruce Tree House in Mesa Verde National Park; a facility of approximately this quality and extent seems appropriate.

NPCA strongly supports the idea of developing a number of satellite localities to which visitors can be directed to visit in order to learn more about the Mimbres culture. The valleys of the Mimbres country in which the ruins occur are beautiful, and well worth visiting. To this end, a primary purpose of the Visitor Center should be to orient visitors and direct them to the outlying places where actual ruins can be visited in their geographic setting. Already a National Park Service study has identified several sites that would be appropriate for this purpose. Some of these places deserve acquisition by the National Park Service in fee, others we envision would be owned and managed by other agencies in close cooperation with the National Park Service.

S. 2254 Pecos National Historical Park

S. 2254 seeks to establish Pecos as a National Historical Park and authorizes a new park boundary to include the 5,500 acre Forked Lightning Ranch which is for sale and abuts the existing Monument. Pecos was established as a National Monument in 1965. Consisting of some 365 acres, the Monument is located on the major gateway between the Great Plains and the Rio Grande Valley and has long been associated with American prehistory and history. Prehistoric Native Americans, the Spanish missionaries, traders along the Santa Fe Trail as well as the United States Army, all left their mark in the region. Today, the archeological resources of the Pecos National Monument bridge several centuries and consist of the ruins of a church, a kiva and two pueblos; all possess a high degree of integrity.

NPCA is supportive of the change in nomenclature provided the Forked Lightning Ranch is actually acquired by the National Park Service. The present archeological resources of the Monument alone do not warrant National Historic Park designation, as the existing Monument boundary encompasses a very limited resource base. While we support the redesignation we believe it should not be renamed until the Forked Lightning Ranch is actually acquired. To this end we recommend revising Section 3 (Establishment of the Pecos National Historical Park) to read:

"In order to preserve for the benefit and enjoyment of present and future generations, the area in New Mexico known as the Forked Lightning Ranch surrounding the existing Pecos National Monument, once the aforementioned Ranch is acquired, there is hereby established the..."

A similar minor language adjustment may be necessary in Section 3-c of this legislation as well.

With the addition of the Forked Lightning Ranch, the newly designated Park would encompass a sufficient number and diversity of significant natural and cultural resources unique enough to Southwest culture to warrant the redesignation. However, in our view, the totality of the resources incorporated in the new boundary should be reflected in the new name. If expanded, Pecos would include far more than just archeological resources associated with the old Pecos National Monument---it would include natural resources as well as a significant cultural landscape and an important part of a Civil War battlefield. To this end, we urge the Committee to explore alternative names for the new historical park---perhaps, the name Pecos Gateway National Historical Park--- in order to better reflect the diversity of resources in the new National Historical Park.

In the proposed General Management Plan, we believe the scope of interpretation for this new park should be vastly expanded from the present Pecos National Monument story. For example, with the addition of the Forked Lightning Ranch, there will be a significant resource base to tell the story of the evolution of multi-culturalism and the story of commerce and war that has molded the prehistory and history of the Pecos River Valley. Visitors should be able to learn about the archeological sites which would nearly cover the entire span of the valley's human occupation---from the Paleo-Indian period (10,000-5,500 BC) through the Rio Grade Classic Period (1325-1600 AD) and onto modern times. In addition to the Native American story, the historic role the Spanish, the French, the American settlers, all can now be explained through the physical remains. The story of the Pecos Valley, this area that forms a corridor connecting the Great Plains with the Rio Grande Valley and the American Southwest in terms of westward expansion and its link to an important episode in the American Civil War should also should be addressed. We recommend report language to address these concerns.

Mr. Chairman we fully support the addition of the Forked Lightning Ranch to the park boundary; if it is not acquired, the scenic integrity of the existing Monument is likely to be destroyed. For many of today's visitors to the Monument, they see a landscape that is comparable to the one seen by the earliest settlers. This view must be protected as it is critical to the visitor's understanding and enjoyment of the resource. If not protected and should development on the Forked Lightning Ranch proceed, it would have a devastating effect on the total visitor experience.

We note that the National Park Service has not completed a comprehensive boundary study for the proposed new historical park unit. Such a study is absolutely necessary. We believe that it is entirely possible that the legislation now before you may need to be amended later to include other important resources associated with the Pecos story as adjacent or detached units of the park. The Archeological Conservancy, in recent testimony on this legislation before the House Subcommittee on National Parks and Public Lands stated, "the Forked Lightning Ranch is not large enough to complete this task." We agree. The Conservancy recommended that some consideration should be

given to a boundary that would include the Rowe Ruin, the Arrowhead Pueblo and the Hobson-Dressler Ruin (which are all important components of the Pecos Pueblo sequence) as well as the ruins of the Las Ruedas; all these areas may be necessary components in the telling of the Pecos story. We recommend the this legislation be amended to authorize a comprehensive boundary study to assess these and other lands within the Pecos River Valley including the resources associated with the Old Pecos Land Grant and the Los Trigos Land Grant area. The study should be completed within three years and submitted to Congress together with an interim General Management Plan as currently provided for in the proposed legislation. The boundary study should include an assessment of the satellite areas mentioned above and consider alternatives to preserve and interpret these areas.

S. 2165 Glorieta National Battlefield

Many historians believe that portions of the Forked Lightning Ranch (i.e. Kozlowski's trading post is an area believed to serve as a stage stop and store along the Santa Fe Trail) served as the headquarters for the Union forces during the brief campaign that became known as the Battle of Glorieta Pass. Today, we believe it fortuitous that this Subcommittee is considering both the Pecos boundary expansion and the Glorieta National Battlefield legislation as we view the resources of both areas as closely associated. It makes logical sense to us that if Pecos is to be expanded and redesignated as a National Historical Park, it should incorporate the resources associated with the Glorieta battlefield as well. The Glorieta Battlefield, because of its close proximity to Pecos National Monument and in order to minimize administrative costs, could be administered as part of the newly designated Pecos National Historical Park.

The battle of Glorieta Pass, which occurred March 26-28 1862, is considered by historians as the most important Civil War battle fought in New Mexico and a pivotal battle in the Confederacy's attempt to gain control of the west. Nearly 450 acres in the vicinity of Glorieta Pass have been listed on the National Register of Historic Places. The area has also been designated as a National Historic Landmark.

But when compared to the great battles of the east---Antietam and Gettysburg to name but two, what seems at first glance to be a small skirmish in New Mexico actually had important ramifications for the Confederacy. After the battle, with their supply trains destroyed, the Confederates were forced to retreat down the Rio Grande back into Texas. After this unsuccessful foray into New Mexico, the Confederates abandoned hope of capturing the rich silver mining fields of Colorado. They also failed to gain any new territory in which the institution of slavery could be expanded.

Mr. Chairman, the National Park Service does not need another commemorative Civil War site administered as a National Battlefield. If Congress determines that the Glorieta National Battlefield is a resource of national historical significance deserving of designation as a separate National Park Service unit, the area should be established with a boundary large enough to preserve and interpret it as a meaningful park unit. It is NPCA's hope that eventually, this battlefield would be established with a large enough boundary to protect not

just the immediate field of battle, but sufficient adjacent lands to protect the historic scene and several satellite areas as well. We feel the boundary must include lands in the vicinity of the three important ranches on the historic Santa Fe Trail which are associated with the battle: Johnson's ranch site near the mouth of the Apache Canyon (significant for its association with the battle of March 26 and 28) Pigeons ranch, including nearly by overlooks (significant for its association with the battle of March 28) and the Kozlowski's Ranch (Forked Lightning Ranch). Several non-profit groups are currently working to preserve these and other areas associated with the battle by acquiring them from willing sellers. NPCA also believes that some consideration should be given to preserving the mountainous terrain over which Union Major John M. Chivington travelled on March 28, 1862 on his way to the Johnson's ranch where he found and destroyed the Confederate supply depot. Inclusion of these lands within the boundary would not only contribute to the preservation of the historic scene, but conceivably could be developed as a hiking trail for park visitors.

We have had the opportunity to examine the specific National Park Service boundary recommendations as well as the National Register of Historic Places nomination form, which outlines the location of areas of significant battle action. We feel that a minimum acreage needed to preserve the integrity of the battlefield as a separate unit is 750 acres. Not all of these lands need be acquired in fee; scenic easements and other preservation methods may be sufficient to preserve much of the battlefield site and historic scene.

However, there is another preservation alternative we suggest this committee consider. Why not join the non-controversial land base provisions of the Glorieta bill with the Pecos legislation? In a separate title of the Pecos legislation, the National Park Service could be authorized to acquire upward to 750 acres, from willing sellers only, for the purpose of preserving and interpreting the battle of Glorieta Pass as part of the Pecos National Historical Park. Perhaps language in the bill is in order authorizing the Secretary of the Interior "from time to time make minor adjustments to the boundary by publication of a revised map or other boundary description in the Federal Register." This would enable the National Park Service to acquire for the Pecos National Historical Park, lands significant, necessary and appropriate in order to tell the story of the battle of Glorieta.

S. 2430 Zuni Cibola National Historical Park

This legislation is a technical amendment to the Zuni-Cibola National Historical Park Act and seeks to enlarge the time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park. We support the suggested time extensions.

Mr. Chairman, that concludes my testimony. I would be pleased to answer any questions you or the other members of the Subcommittee may have.

Senator BINGAMAN. Well, thank you very much. I think your suggestion on the possibility of preserving or commemorating or interpreting the Glorieta Battle as part of the Pecos is an interesting suggestion and one we need to get the Park Service's reaction to.

I would ask if Debbie Sease has any comment on that suggestion. Have you had a chance to review that?

Ms. SEASE. Mr. Chairman, I think that it sounds like a very interesting suggestion. Our concern with Glorieta is not that it be preserved as a particular kind of unit, but that the story that is there to be told about the west's involvement in the Civil War is told and that the land base be protected in a timely fashion. It sounds like a suggestion that would be very workable.

Senator BINGAMAN. Dr. Giese, did you have any comment on that? I know you are a student of history.

Dr. GIESE. Well, there is a theme that you haven't really brought out which Pecos is handling now, and that theme is the Santa Fe Trail. It is more Anglo oriented and perhaps closer to the Civil War than the Pecos story itself. So, it is just something to think about, where you would put that.

I very much agree with you on your ideas of Kozlowski's Ranch, Johnson's Ranch and Pigeon's Ranch. They are very, very important. Kozlowski, Union headquarters, and the supply train that was attacked by Chivington at Johnson's Ranch, very, very important, and the battle at Pigeon's. All three of those should be preserved. I firmly support that.

Mr. CRAIG. Mr. Chairman, if I could add just one quick thing.

Senator BINGAMAN. Yes.

Mr. CRAIG. The study that the National Park Service did by the former chief historian of the Park Service, Bob Utley, on the Glorieta Pass Battlefield actually does identify all of these locations as well as that route of Colonel Chivington, which is a mountainous area which has I think personally some very real possibilities to make a very fine addition to the Pecos National Historical Park giving a diversity of resource base there.

Senator BINGAMAN. Let me defer to Senator Domenici for questions he has.

Senator DOMENICI. First, with reference to Mimbres and the bill we have before us, Dr. Giese, let me indicate how much I personally appreciate your testimony. I think we just have to do this one, and I want to pledge that if the study which the administration is talking about, from my standpoint, takes an undue amount of time, I think we should proceed.

Dr. GIESE. I agree.

Senator DOMENICI. I really do not believe that it is going to address things as specifically as this. And I am not critical of them. I understand. But I do appreciate all the effort you have put forth, and I think we ought to get on with it.

We have found that even the outlier notion is cumbersome, difficult, and hard to push the management team to work them up. In Chaco, they are very important. In fact, we are going to add some outliers to Chaco, Debbie, because it is obvious that the ones we put in are right, but there are some others that should be in, and we are beginning to manage them, it seems like, somewhat appro-

priately. So, we are going to add some more. So, Doctor, I very much appreciate that.

With reference to the Organ Mountains, could I just talk a minute about recreational uses versus the preservation of other things that we want to keep intact as a people? I want to thank you first for the statement which recognizes, if I understand correctly, that clearly some of that beautiful area ought to be used for just typical recreation areas that people who are in close proximity would have access to and use it for, and that there is risk if we are not careful in managing that in determining it and setting its limits, that we will go well beyond that in terms of that beautiful area and ruin parts of it in the name of recreation. Is that essentially——

Ms. SEASE. That is correct.

Senator DOMENICI. And I gather that you also are suggesting to us that on the recreation part, we ought to get on with approving a plan, but we ought to also make sure that the management of the rest is very much firmed up. And you were suggesting a mechanism to do that.

Ms. SEASE. That is correct.

Senator DOMENICI. I do not know how that would all work out if we negotiated with it, but I want you to know that I am not locked into the management scheme which is administrative on the balance. I would hope that we could work out something where the people in the area would feel like all the interests are comfortably accommodated and we have not been so rigid in terms of recreation use because we do not quite know the entire future. Nonetheless, we preserve the balance in a very different mode. And that is clearly what I have in mind.

I think when you have mountains that close to people, you ought to provide part of it for average type mothers and fathers and children for Saturdays and Sundays, in just their spare time. We can do that without ruining and destroying things. We all remember that as we grew up. So, that is what we are trying to do as I understand it, and yet preserve the balance.

And I gather you will work with us on the overall management scheme and your concern is that you want a legislative management scheme rather than an administrative one.

Ms. SEASE. We at least want legislative management guidelines. One of the reasons I drew your attention to the San Pedro bill is it I think walked that balance between micro-managing the details of where every road or picnic table would go versus just leaving it totally open-ended in the future. It sets some parameters and some guidelines and I think that is the direction that this should head.

Senator DOMENICI. And, Mr. Craig, let me just thank you for your testimony. I think it has been very constructive, and I hope it will help us in our work. Thank you very much.

Senator BINGAMAN. Well, let me also thank all three of you. I think we have had good testimony. And I am very optimistic we can move ahead with these bills during the next couple of months here, and I hope we can get them passed this Congress and enacted into law. So, thank you all very much.

Senator DOMENICI. Mr. Chairman, would you put this statement of Mark Michel, President, from the Archaeological Conservancy in

the record? He addresses these and would like it made part of the record.

Senator BINGAMAN. We will be glad to include Mark Michel's statement.*

Thank you all very much, and the hearing is adjourned.

[Whereupon, at 3:47 p.m., the hearing was adjourned.]

* See Appendix.

M-1

APPENDIX

Additional Material Submitted for the Record

STATEMENT IN SUPPORT OF ACQUISITION OF THE GLORIETA BATTLEFIELD AS A COMPONENT OF THE NATIONAL PARK SYSTEM

BY

GLORIETA BATTLEFIELD PRESERVATION SOCIETY
and
COUNCIL ON AMERICA'S MILITARY PAST

Both organizations strongly support acquisition of the Glorieta Battlefield, near Santa Fe, New Mexico, as an important component of the National Park Service's historical preservation and interpretive program.

The Battle of Glorieta was the key battle for control of the American Southwest during the Civil War, marking as it did the high water mark of Confederate hopes for victory against Union troops during the 1861-62 invasion of New Mexico Territory by mounted Texans. It was the climatic event of the westernmost campaign of the Civil War, and saw troops from the Regular United States Army, strengthened by Volunteer soldiers from New Mexico and Colorado, pitted against some 3,000 invading Texas Volunteers, aided by irregular units from Arizona. With the Confederates having been successful in their first full-scale battle with Union troops at Valverde, New Mexico during February 1862, the Federal soldiers from New Mexico and Colorado met the Texans a month later along the Santa Fe Trail, as the Confederates advanced northward through the Territory, toward the gold and silver mines of Colorado. There, twenty-five miles east of Santa Fe, on the 28th of March, 1862, both armies met in a bloody, day-long struggle that would determine the fate of the Texans' campaign - and the fate of the Southwest itself.

Although the fortunes of battle swayed back and forth during the day, a flanking party of Union troops reached the rear of the Confederate position, burning and destroying the entire Texan supply wagon train, news of that disaster ending the fighting around Glorieta and Pigeon's Ranch, a famous way-station on the Santa Fe Trail and the center of the battlefield. With their supplies gone and no prospect for procuring others, the Texan campaign quickly collapsed, and the Confederate army retreated southward along the Rio Grande and eventually out of New Mexico. That retreat, after many hard-fought skirmishes and battles on an incredibly harsh frontier, ended forever any realistic threats against Union control of the Far West.

Preservation of this historically important site has previously been the work of the private historians and supporters comprising the Glorieta Battlefield Preservation Society and the Council on America's Military Past. We believe it is imperative that this key military history site, which also has important ties to the Santa Fe Trail (already designated a National Historic Trail) and to the hispanic population of the Southwest

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during both the Mexican War and the Civil War, be acquired on behalf of the public before further development of the region makes such acquisition impossible.

The field is a natural amphitheater surrounded by wooded hillsides sloping upward to steep cliffs north and south of the site. Highway 50 is the same alignment as the Santa Fe Trail in this area, with the existing bridge at the same spot where one existed during the battle. The core of the battlefield comprises approximately 50 acres surrounding Pigeon's Ranch, with the entire battlefield being defined as approximately 300 acres extending for a mile along the Santa Fe Trail. Fields and woods are in much the same condition as they were in 1862, and the Glorieta Battlefield Preservation Society has stabilized the remaining building of Pigeon's Ranch, which was the center of the battle, acting as both Union headquarters and, subsequently, Confederate hospital. It is the only Civil War battlefield building in New Mexico, built in 1851 as a Santa Fe Trail hostelry. During summer 1987, the mass grave of 31 Confederates killed at Glorieta was discovered 200 yards south of the ranch building. Their remains are to be reinterred on the site once the battlefield becomes part of the public domain. The building itself would make an outstanding mini-museum of the relics and interpretive devices for the battle.

There is a concentration of tourists in the area for half of each year, as visitors to Santa Fe and northern New Mexico and as visitors to the nearby Baptist Convention Center for the Southwest, and to Pecos National Monument, also nearby. Highway access is easy from I-25, which forms the southern boundary of the battlefield, or from Highway 50, which connects the battlefield area with Pecos National Monument. There is little or no local opposition to Federal acquisition of the site, and in fact, there is quite enthusiastic support for the proposal. The land is entirely in private ownership, with no residential, commercial, or ranching displacement being necessary as a result of battlefield acquisition.

The Glorieta battlefield is essentially unchanged since the Civil War. It is only twenty-five miles from the capital of Santa Fe, however, and is in imminent danger of being subdivided and used as a bedroom community area, with associated commercial development. Should that happen, an irreplaceable piece of American history, which can now be saved at a quite modest cost, would be lost to the present and future generations, who can otherwise learn how their ancestors, North and South, fought and died there for their respective beliefs. Such a loss would be both tragic and unnecessary, and we urge congressional action be taken to acquire this priceless heritage while it is still intact and available.

Don E. Alberts

Dr. Don E. Alberts
Past President, Glorieta Battlefield Preservation Society, Inc.
Past National Director, Council on America's Military Past

WALATOWA
Pueblo of Jemez

May 1, 1990

The Honorable Jeff Bingaman
United States Senator
c/o David M. Vacker
625 Silver Avenue SW
Suite 130
Albuquerque, NM 87102

Re: S.B. 2254 - Pecos National Historical Park Act

Dear Senator Bingaman:

On behalf of the Pueblo of Jemez, I am submitting this letter as the Pueblo's written testimony in support of S.B. 2254 introduced in the Senate. I respectfully request that this letter be entered into the legislative record as testimony by the Pueblo of Jemez.

As you may know, the Pecos Pueblo Indians once occupied the Pecos Pueblo Land Grant, the subject of the "Pecos National Historical Park Act." The Pecos Indians occupied the grant area until 1838 when the last seventeen survivors, of a once powerful Pecos Pueblo, moved to the Pueblo of Jemez. The Forked Lightning Ranch which is part of the Pecos Pueblo Land Grant is rich with cultural resources and archeological sites of the Pecos Indians. The Pueblo of Jemez strongly believes that such cultural resources and sites should not be exploited and disturbed for the sake of economic development, but protected as these sites are sacred to the Pueblo of Jemez and more importantly to the Pecos descendants.

The Pueblo of Jemez supports S.B. 2254 since it provides for the preservation of the cultural sites and natural resources of the Forked Lightning Ranch and also preserves the prehistoric and historic resources important to not only the heritage of the State of New Mexico but important to the Pecos Pueblo descendants.

Sincerely,

Rosendo Gachupin
Governor Rosendo Gachupin
Pueblo of Jemez

RG:rr

Office of the Governor P. O. Box 78 Jemez Pueblo, New Mexico 87024 505-834-7359

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April 23, 1990

Hon. Bruce F. Vento
Chairman, National Parks &
Public Lands Sub-Committee
2304 RHOB
Washington, D.C. 20515

Dear Chairman Vento:

We are counsel for Greer Garson Fogelson. Mrs. Fogelson has been ill for an extended period and has left the city for recuperation. We have discussed with her the fact that there is pending legislation the ultimate result of which will be the extension of the Pecos National Monument, in San Miguel County, New Mexico, to include her Forked Lightning Ranch as a part of such facilities, as well as the expansion of the interpretive mission of the facilities.

As you know, Mr. and Mrs. Fogelson have supported such Monument for many years and have made various significant contributions in connection therewith. Mrs. Fogelson certainly does not object to the proposed legislation and has expressed to me her feeling that the expansion of the Monument to include her ranch would be a permanent dedication thereof to a matter in which she and her late husband have been interested for many years.

Very truly yours,

John L. Roach

JLR:ld

cc: Mr. Dale Crane
Staff Director, National Parks
& Public Lands Sub-Committee

THE VILLAGE OF
PECOS
NEW MEXICO

GEORGE ADELO,
Mayor
ANTONIO ARMIJO
Village Clerk
PAMELA QUINTANA
Office Clerk

BOARD OF TRUSTEES
Eustacio Ortiz, Jr.
Joe M. Benavidez
Josephine Hoyes
Florentino Valencia, Jr.

April 20, 1990

Rep. Bill Richardson
1610 Longworth HOB
Washington DC 20515

Re: H.R. 4235, To establish the Pecos National Historical Park in the State of New Mexico

Dear Congressman Richardson:

On behalf of the Village of Pecos and its Board of Trustees, I wish to express our unconditional support for H.R. 4235 to purchase the Forked Lightning Ranch for creation of the Pecos National Monument. The destiny of entire Pecos Valley depends on whether the Forked Lightning Ranch, with its 5,865 acres surrounding the existing Pecos National Monument, can be saved from development and exploitation. Your bill, H.R. 4235, is certainly the single most important action in this century to protect and preserve the rich history and character of the village of Pecos and the neighboring communities of the Pecos River.

We narrowly missed a ruinous fate this past winter when Ms. Garson announced plans to sell the Forked Lightning Ranch to a Florida developer for a proposed resort city and development known as "Santa Fe East 2001." The proposed development included an airstrip, a 300 room resort hotel, a mutinational shopping center on 454 acres, a convention center on 106 acres, a private hunting preserve, two gold courses, and residential housing for 25,000 people.

Fortunately, Ms. Garson rescinded her plans for such a sale. Now, with your bill, we have a unique opportunity to save this magnificent piece of property.

The Board of Trustees adopted a resolution on December 27, 1989 at a town meeting of the Village of Pecos--at which more than 500 citizens were in attendance--opposing the location of such a destination resort and city in Pecos and specifically requesting purchase of the Forked Lightning ranch for inclusion in the Pecos

National Monument. A similar resolution, including a request that the ranch be purchased for public ownership, was adopted by the City of Santa Fe on January 10, 1990. Copies of those resolutions are enclosed for your information. In addition, we enclose a letter from the Pueblo of Jemez opposing any development of the Forked Lightning ranch.

Any development of the Forked Lightning Ranch will have a devastating impact on the people, culture, traditions and environment of Pecos and the Pecos Valley. Public ownership of the ranch, on the other hand, preserves the rural character of the Pecos area and promotes a clean tourist economy that honors our rich history and splendid natural environment.

Purchase of the Forked Lightning Ranch for a National Historical Park administered by the National Park Service is the most appropriate way to ensure that the treasure of the Forked Lightning is preserved for the benefit of our children in Pecos as well as all future generations of Americans.

Sincerely,

George Adelo

George Adelo
Mayor

THE VILLAGE OF
PECOS
NEW MEXICO

GEORGE ADELO,
Mayor
ANTONIO ARMIJO
Village Clerk
PAMELA QUINTANA
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April 20, 1990

Rep. Bill Richardson
1610 Longworth HOB
Washington DC 20515

Re: H.R. 4235, To establish the Pecos National Historical Park in the State of New Mexico

Dear Congressman Richardson:

As a life long resident of the Village of Pecos and a member of its Board of Trustees, I strongly urge passage of H.R. 4235 to purchase the Forked Lightning Ranch for creation of the Pecos National Historical Park. Saving the Forked Lightning Ranch, with its 5,865 acres surrounding the existing Pecos National Monument, is the most important act the Federal government can take to preserve the rich history and culture and to protect the spectacular environment of our village and the neighboring communities of the Pecos River.

Purchasing the Forked Lightning Ranch will also be good for our economy because the presence of a National Historical Park, with the unique archaeological, historical and natural features of the Forked Lightning, will provide jobs in our tourist based economy while preserving the character of the Pecos River Valley. If the ranch is not purchased for public ownership, it will surely be developed and exploited, permanently transforming the Pecos area into a urban, high income resort development area which will destroy a culture and way of life that is centuries old.

Your bill presents us with the only opportunity we have to save this magnificent piece of property. For the sake of our children and all future generations of this country, I sincerely hope your bill is passed by the United States Congress.

Sincerely,

Joe M. Benavidez

Joe M. Benavidez
Board of Trustees

WALATOWA
Pueblo of Jemez

January 22, 1990

Grove Burnett
Attorney at Law
Route 1, Box 9A
Glorieta, NM 87535

Re: Proposed Development of the Fork Lightning Ranch

Dear Mr. Burnett:

The Jemez Pueblo Tribal Council established by resolution the Jemez Pueblo Land, Water, and Cultural Resources Committee to address land, water, and cultural resource issues that affect the Pueblo. The Committee at its January 13th meeting discussed the proposed economic development on the Fork Lightning Ranch. This letter is a statement on the position taken by the Committee.

As you know the Pecos Pueblo Indians occupied that area of the country until 1838 when the last seventeen survivors moved to the Pueblo of Jemez. The Fork Lightning Ranch once occupied by the Pecos Pueblo Indians is rich with cultural resources and sites. The Pueblo of Jemez strongly believes that such cultural resources should not be disturbed as they are sacred to the Pueblo of Jemez and more importantly to the Pecos descendants.

The Committee supports the efforts of the Village of Pecos to halt the proposed economic development. The Committee also opposes such development because of the adverse impact it could have on the cultural resources and archeological sites located on the Fork Lightning Ranch.

If you have any questions, please do not hesitate to call me.

Sincerely,

James Roger Madalena
Chairperson

JRM:rr
cc: Governor Rosendo Gachupin
Committee Members

CITY OF SANTA FE

RESOLUTION NO. 1990-2

INTRODUCED BY:

Peter Goodwin

A RESOLUTION

EXPRESSING EXTREME CONCERN FOR THE POTENTIAL ADVERSE IMPACTS OF ANY PROPOSED PECOS DESTINATION RESORT AND A RECOMMENDATION.

WHEREAS, the Village of Pecos and the neighboring communities of the Pecos River have a long and rich history that honors and respects its land, people, culture, language, and traditions; and

WHEREAS, the impact of large scale development on neighboring lands, specifically the Fogelson and Garson properties, on the people, culture and traditions of Pecos, the Pecos Valley and the Santa Fe area will change irrevocably traditional land use patterns, a culture and a way of life that is centuries old and will forever alter the heart and character of the Pecos Valley; and

WHEREAS, the large scale development may adversely and irrevocably impact the Pecos National Monument and seriously threaten ancient Indian and Spanish ruins in the area; and

WHEREAS, the City Council, in sympathy with the Board of Trustees of the Village of Pecos and its residents, expresses its extreme concern for the potential alteration to and damage of cherished cultural, historical and environmental values of the Pecos Valley which are appreciated by Santa Fe citizens and visitors; and

WHEREAS, Colonel and Mrs. E.E. Fogelson have been supporters of the environment and the beauty of the Pecos area;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that:

1. The City of Santa Fe respectfully requests reconsideration of the sale and transfer of the envolved properties; and

2. The City of Santa Fe respectfully requests the Honorable Manual Lujan, Secretary of the Department of the Interior, and all members of the New Mexico Congressional delegation to promptly exercise all options for the U.S. Park Service to purchase and protect the lands proposed for sale and development by Ms. Garson and Mr. Fogelson for inclusion within the Pecos National Monument.

PASSED, APPROVED and ADOPTED this 10th of January, 1990.

SAM PICK, MAYOR

ATTEST:

FRANCES C. ROMERO, CITY CLERK

APPROVED AS TO FORM:

JIM McKAY, CITY ATTORNEY

Grove T. Burnett
ENVIRONMENTAL ATTORNEYS
Steven Sugarman
ASSOCIATE

Glorieta Baldy-La Cueva Road
Route 1, Box 9-A
Glorieta, NM 87535
(505) 757-8408

April 30, 1990

Senator Jeff Bingman
United States Senate
Hart Senate Building
Washington, DC 20510

Re: S. 2254, To establish the Pecos National Historical Park in the State of New Mexico

Dear Senator Bingaman:

I am an environmental attorney in private practice devoted exclusively to representing national and grassroots environmental organizations in New Mexico and the Southwest. I am an 18 resident of the Pecos area and have my home and office near Pecos.

I write on behalf of the Village of Pecos and its Board of Trustees, the Upper Pecos Association, and the Friends of the Pecos Monument to express our unconditional support for S. 2254 to purchase the Forked Lightning Ranch for creation of the Pecos National Monument.

The Village of Pecos is a small mountain village in northern New Mexico located right on the Pecos River some 16 miles downriver from its headwaters in the Pecos Wilderness. The incorporated township has population of about 1200, and the entire upper Pecos River area of about 5000.

Originally a thriving Indian Pueblo for centuries, then settled by the Spanish in the 18th century, the Village of Pecos has a long and rich history that honors and respects its land, people, culture, language, and traditions.

Central to this long history and culture is the Forked Lightning Ranch, which borders the village of Pecos on the south.

The Upper Pecos Association is a 300 member citizen conservation organization dedicated to the protection and preservation of the upper Pecos River Valley, its environment, people, culture and traditions. The Upper Pecos Association is now 20 years old and has spearheaded numerous historic battles to protect the Pecos Valley, including the proposal to build the Elk Mountain Road and ski area east of Pecos during the 1970s, a case that went all the way to the U.S. Supreme Court.

The Friends of the Pecos Monument is a New Mexico, non-profit corporation established to aid and directly promote the management programs and objectives of the National Park Service at the Pecos National Monument, including fund raising and facilitating private donations. I am on the Board of Directors of the Friends and serve as its Vice-President.

The waters of the upper Pecos river are currently used for domestic purposes, including cooking and drinking. The upper Pecos river is designated as a high quality cold-water fishery, the highest designations any river can receive under New Mexico law. The upper Pecos river is one of the most important and spectacular recreational and fishing resources in New Mexico.

Senator Bingaman, the destiny of entire upper Pecos Valley depends on whether the Forked Lightning Ranch, with its 5,865 acres surrounding the existing Pecos National Monument, can be saved from development and exploitation.

Your Bill, S. 2254, is the most important act the Federal government can take to preserve the rich history and culture and to protect the spectacular environment of our village and the neighboring communities of the Pecos River.

In fact, it is certainly the single most important action in this century to preserve and protect Pecos and its magnificent natural resources.

Pecos is under siege. In recent months, we in Pecos have been involved in numerous battles to protect our community, including the fierce battle to defeat a proposed massive development of the Forked Lightning Ranch. In addition we have been threatened by numerous unwanted boondoggle Federal projects, including a huge timber sale at our headwaters that threatens to lay barren one of our most treasured alpine regions, Elk Mountain. This timber sale is a below cost sale that looses the Federal government money and offers no benefits to our community.

A recent unsolicited and unexplained gift to Pecos from the Federal government was a new intersection and 1.5 of super highway designed pavement ending at dirt road east of Pecos. Finally, we are battling a Federal proposal to widen and reconstruct the entire Pecos river canyon road north of the village all the way to Cowles that will have disastrous consequences to the Pecos River and ruin the character of the Pecos Canyon. Fortunately, a Federal Judge, at our request, recently intervened and stopped this boondoggle project.

We catalogue these Federal projects to give you an idea of what kind of economic development we do <u>not</u> need or want in

Pecos. These timber sales and road projects will cost millions of Federal dollars with virtually no benefit to our community. The expenditure required to purchase the Forked Lightning pales in comparison to the exorbitant, irresponsible spending required for Federal timber sales and road projects in our community. The latter is definitely not the kind of federal involvement and participation we want in our community.

Our support for Federal acquisition of the Forked Lightning Ranch is probably unique. In the West complaints abound, especially by locals, about public ownership of land. We in Pecos, however, are convinced that public acquisition of the Forked Lightning Ranch for administration by the National Park Service is wise and appropriate and will benefit our community for generations to come.

We narrowly missed a ruinous fate this past winter when Ms. Garson announced plans to sell the Forked Lightning Ranch to a Florida developer to build an international resort and residential complex and city to be called "Santa Fe East 2001".

The resort city "Santa Fe East 2001", with a population of more than half the size of Santa Fe, would include:

* Airstrip
* Resort hotel, 300 rooms, with an Olympic-sized swimming pool, 92 acres.
* Residential housing, 7,234 acres.
* Multinational shopping center call "World's Fair Today", 454 acres.
* Athletic center, including a soccer field, a baseball diamond, racquetball and squash courts, a bowling alley and a basketball gym, 729 acres.
* Convention Center, 160 acres.
* Private hunting preserve, 1,776 acres.
* Health clinic, 100 acres.
* Shooting range, 419 acres.
* Golf courses, 448 acres.

The proposal evoked a firestorm of opposition and controversy in Pecos, Santa Fe and the entire State. Fortunately, Ms. Garson rescinded her plans for such a sale. Now, with your bill, we have a unique opportunity to save this magnificent piece of the planet.

The Board of Trustees adopted a resolution on December 27, 1989 at a town meeting of the Village of Pecos--at which more than 500 citizens were in attendance--opposing any development of the ranch and specifically requesting purchase of the Forked Lightning ranch for inclusion in the Pecos National Monument.

A similar resolution, including a request that the ranch be purchased for public ownership, was adopted by the City of Santa Fe on January 10, 1990. Copies of those resolutions are enclosed for your information. In addition, we enclose a letter from the Pueblo of Jemez opposing any development of the Forked Lightning ranch.

Purchasing the Forked Lightning Ranch will be good for our economy because the presence of a National Historical Park, with the unique archaeological, historical and natural features of the Forked Lightning, will provide jobs in our tourist based economy while preserving the character of the Pecos River Valley.

If the ranch is not purchased for public ownership, it will surely be developed and exploited, permanently transforming the Pecos area into a urban, high income resort development area which will destroy a culture and way of life that is centuries old, ruin a magnificent environment and forever alter the heart and character of the Pecos Valley.

Development of the Forked Lightning will adversely and irrevocably impact the Pecos National Monument and seriously threaten ancient Indian and Spanish ruins in the area. Public ownership of the ranch, on the other hand, will preserve the rural character of the Pecos area and promote a clean tourist economy that honors our rich history and splendid natural environment.

Senator Bingaman, the fate of our village, our history, our community, our environment, our economy , and our future is in the hands of Congress with this proposed legislation.

Purchase of the Forked Lightning Ranch for a National Historical Park administered by the National Park Service is the most appropriate way to ensure that the treasure of the Forked Lightning is preserved for the benefit of our children in Pecos as well as all future generations of Americans.

Your bill presents us with the only opportunity we have to save this magnificent piece of property. For the sake of our children and all future generations of this country, I sincerely hope your bill is passed by the United States Congress.

Sincerely,

Grove T. Burnett
Attorney at Law

VILLAGE OF PECOS

RESOLUTION NO. 1989-90-2

WHEREAS, a Florida based development company, Capital Developers International, Inc., is negotiating to purchase the Greer Garson ranch near Pecos to build an international resort and residential complex and city to be called "Santa Fe East 2001".

WHEREAS, the resort city "Santa Fe East 2001" would be more than half the size of Santa Fe and would include a total of 11,892 acres, including the Garson ranch and part of an adjacent ranch owned by Ms. Garson's stepson, Mr. Gayle Fogelson.

WHEREAS, the resort city "Santa Fe East 2001" would include:

* Airstrip
* Resort hotel, 300 rooms, with an Olympic-sized swimming pool, 92 acres.
* Residential housing, 7,234 acres.
* Multinational shopping center call "World's Fair Today", 454 acres.
* Athletic center, including a soccer field, a baseball diamond, racquetball and squash courts, a bowling alley and a basketball gym, 729 acres.
* Convention Center, 160 acres.
* Private hunting preserve, 1,776 acres.
* Health clinic, 100 acres.
* Shooting range, 419 acres.
* Golf courses, 448 acres.

WHEREAS, the Village of Pecos and the neighboring communities of the Pecos River have a long and rich history that honors and respects its land, people, culture, language, and traditions.

WHEREAS, the Village of Pecos is dedicated to the protection of the Pecos Valley and its unique environment and natural resources.

WHEREAS, the impact of "Santa Fe East 2001" on the people, culture and traditions of Pecos and the Pecos Valley will be catastrophic; the development will transform the Pecos community into a urban, high income resort development area, irreversibly alter traditional land use patterns, eradicate a culture and way of life that is centuries old and forever alter the heart and character of the Pecos Valley.

WHEREAS, the impact of "Santa Fe East 2001" on the magnificent environment of Pecos and the Pecos Valley will likewise be catastrophic; the development will irreversibly scar the landscape of the Pecos area, pollute and degrade the valley's splendid natural resources, including the Pecos River

and local drinking water supplies, and impair existing water rights.

WHEREAS, The resort city "Santa Fe East 2001" will adversely and irrevocably impact the Pecos National Monument and seriously threaten ancient Indian and Spanish ruins in the area.

WHEREAS, neither the Village of Pecos nor San Miguel County are capable of handling the enormous burdens connected with a development the size of "Santa Fe East 2001", including the problems of garbage disposal, law enforcement, schools, water supply, and other municipal services.

NOW, THEREFORE, BE IT RESOLVED BY THE PECOS VILLAGE BOARD OF TRUSTEES THAT:

1. The Village of Pecos opposes in all respects the development of the resort city "Santa Fe East 2001" and respectfully request Ms. Greer Garson and Mr. Gayle Fogelson to immediately rescind and cancel any sale of their properties to Capital Developers International, Inc. or any other parties for the purpose of resort and residential development.

2. The Village of Pecos respectfully requests the San Miguel County Commission to promptly hold a meeting in Pecos for the purpose of adopting a resolution opposing in all respects the development of "Santa Fe East 2001".

3. The Village of Pecos respectfully requests the Santa Fe County Commission and the City of Santa Fe adopt resolutions opposing in all respects the development of "Santa Fe East 2001".

4. The Village of Pecos respectfully requests the San Miguel County Commission to exercise all its legal authority to stop "Santa Fe East 2001", including amending San Miguel County Ordinance 86-2, Land Development Standards, to prohibit commercial and residential development on the lands proposed for "Santa Fe East 2001."

5. The Village of Pecos directs its staff and attorney to investigate all legal grounds for opposing and stopping "Santa Fe East 2001", including exercising its extra territorial powers and/or annexing the area proposed for "Santa Fe East 2001" to prohibit commercial and residential development.

6. The Village of Pecos respectfully requests the Honorable Manual Lujan, Secretary of the Department of the Interior, and all members of the New Mexico Congressional delegation to promptly exercise all options for the U.S. Park Service to purchase and protect the lands proposed for sale and development by Ms. Garson and Mr. Fogelson, including purchase of sufficient acreage to qualify the Pecos National Monument for National Park status.

7. The Village of Pecos respectfully requests Governor Carruthers and our New Mexico legislators to publicly oppose the development of "Santa Fe East 2001" and commit their offices to exercising their full legal authority to stop this development, including introducing legislation in the New Mexico legislature to stop the development of "Santa Fe East 2001" and, in conjunction with the U.S. Park Service and the New Mexico Congressional delegation, to purchase the lands for inclusion in the Pecos National Monument.

8. The Board of Trustees directs that a copy of this resolution be delivered forthwith to all persons addressed in this resolution.

DATED: December 21, 1987

George Adelo
Mayor
Village of Pecos

Attn: Brent Handley

Senate Bill: 2254

Testimony: Frank Adelo, Vice President of The Upper Pecos Association

Mr. Chairman and members of the committee, my name is Frank Adelo. I am voicing concern as vice president of the largest citizens group in the Pecos Valley, the Upper Pecos Association, consisting of over two hundred members. Currently I am in my final year of studying economics at the University of Massachusetts.

This legislation considers the three E's, education, economics, and environment. The first Europeans to see the Pecos pueblo were a detachment of men from Coronado's expedition. Hernando de Alvarado, the leader of the expedition, crossed between what is now Rowe Mesa and the Sangre de Cristo mountains. He saw four story structure. Made of adobe and rock, this structure housed nearly two thousand Towa speaking Indians. It was a fairly wealthy pueblo. It was a trading center between the Pueblo Indians and the Plains Indians. The Pecos Indians traded with the Apaches. They traded items such as pottery and corn for meat, tallow, and animal skins. In fact, it was the first place Europeans encountered buffalo skin. The Franciscans followed the Conquistadors and converted the Pecos Indians. The priests had the Indians build extensively. They built a church of which the walls are still standing today. They had always been good carpenters and this allowed them further economic mobility. Tragically, as we all know, Europeans brought more than religion. In 1776 only 269 Indians remained, in 1781 small pox killed more than a quarter of this population. In 1815, no more than forty Indians remained. Finally in 1838, they abandoned their 500 year old home and trekked 60 miles across the Rio Grande valley to Jemez the last place on earth where their language was spoken.

In 1864, the surviving Indians asked permission of the superintendent of Indian

affairs to sell the 18,000 acres congress had confirmed to them. So they did. Forty years down the road after the grant had changed hands several times, including once in a New York City restaurant, a Supreme Court decision ruled that Indians were were wards of the state. Therefore, the Pecos Indians could not have sold the land in the first pace. Because many Hispanics had settled on this land, a legal outcry ensued. Well, to make a long story short, the land this legislation considers is part of this Pecos Grant

Hispanics settlers took up where the Indians left off. They settled in Pecos and built homes of adobe and rock. This Southwestern architecture is now considered chic. They based their lives on the land. They farmed and raised animals. The irrigation systems continued by the Hispanics gave rise to the first legal system in the United States, the acequia system. The rich culture they developed depended on the environmental quality which surrounded them. The way of life they developed still exists today. We still farm. We still raise animals, we still eat traditional foods, we still speak Spanish, and we still cling to the religion our ancestors brought with them. We still demand the environmental quality which the Indians had preserved for 500 years. A national park besides enhancing an already historically rich monument, would help ensure that this unique history and culture continues.

Although Earth Day was Sunday, I can find no better way to celebrate it than to submit this testimony. Americans are finally becoming aware that our environment is no longer disposable. Economists explain the situation by saying environmental quality has become scarce and demand for it has increased. Conventional wisdom often states that environmental quality and economic development are non-compatible. Increasing environmental awareness is changing this view. Ironically, in Pecos, we knew this all the time. Our livelihood has always depended on environmental quality. We have never depended on industry or any type of corporate business for prosperity. We depend on the tourist, who visits Pecos National Monument to learn. We depend on the outdoorsman, who goes to the

Sangre de Cristo Mountains to fish, hike, or hunt. We depend on the resources God provided. We depend on those who thirst for environment quality and we thirst for it ourselves. The creation of a national park does not disturb our environmental quality, it enhances it.

There is tremendous support for this park. What happens to this land will directly affect areas from Terrero, fourteen mile upriver from Pecos, to Anton Chico sixty miles down river from Pecos. A park, for example could relieve the pressure that is placed on the Pecos canyon during the summer. A park would ensure the quality of the river, on which the people who live in small town such as Rowe, San Isidro, San Juan, San Jose, Ribera, and San Miguel depend. These people still eat the trout in the river and still use the river to irrigate their crops.

There is tremendous support for a national park because of the alternatives. One alternative we have seen was a resort called *Santa Fe East 2000* The plan called for enough housing for 16,000 people, two golf courses, a race track, and an airport. Over 300 hundred people attended a town meeting to show support for a resolution adopted against this development and for the creation of a national park. The City of Santa Fe passed a similar resolution. Luckily this deal fell though and that is part of the reason we are here today.

I must emphazise that the support for the creation of a national park is not result of the incident mentioned above. We had thought for some time that Mrs. Fogelson was going to donate the land. We were all for this. It came as a shock to the town that not only was she not go to make a donation but also who was her potential buyers. Any devopment will be big. There are 5500 acres. People realize that any development would destroy our way of life by overburdening the environment. Any private development would tax our scarce resources. water resources. Pecos has seen for the past 6 years some form of water rationing each summer. It would tax our fuelwood supplies which the people depend on heavily. The amount of pinon wood allowed to household has already been cut in half. This

has caused the price of it to almost double in the past five years. A private development would tax our near capacity landfill. There really no question that devolopment would be a boost to the economy. The costs would be too high, especially when private development is unwelcomed. A park would solve many future problems for the Pecos area by simply eliminating their possibility.

In any event, the only development for this land that would be allowed would be one that minimally affect the quality of life in Pecos. For example, in the mid seventies the Forest Service planned to build a road over the mountains from Pecos to Las Vegas. Along with the road there were plans to develop a ski area The people of Pecos, outraged at these plans, banded together and put a stop to these plans. We would rather not be a ski resort. We want environmental quality.

There is enthusiastic support for a national park. From Houston to Denver (editorials in the Houston Chronicle and Rocky Mountain News), people would like to see a national park. The 5500 acres this legislation considers has many other archeological sites including another small pueblo that was excavated in 1926, and fine wagon ruts of the Santa Fe Trail. There are about 120 archeological sites on monument ground. More that likely there are countless other treasures on the land which surrounds the Monument. The ones we do know of ought to be reason enough to buy it. Mr. and Mrs. E.E. Fogelson enlarged the original monument in 1965. Now is the opportunity to enlarge it again. A. V. Kidder envisioned in 1916 "an educational monument not to be rivaled in any part of the Southwest." A national park certainly accomplishes this.

Environmental quality has become scarce. Demand for it has become high. Everything about this legislation makes sense. It enhances a history while preserving a way of life. And it accomplishes what Congress so often tries to do. It satisfies the general public. This is not a case where the public is upset by governmental purchase of private land. The reation of Pecos National Historic Park presersves archeological treasures, saves our environment and would be a boost to the economy. The Pecos Pueblo was one of the most powerful pueblo. It certainly

deserves the land it once commanded.

If you go to Boston today, it is impossible to get a sense of the colonial city it once was. Sky Rises surround you and traffic deafens you. If you go to Santa Barbara it is hard to get sense that it began a Spanish Mission. If you go to Pecos, no you won't see the four story pueblo that Alvarado saw, but you will see every thing else. The land surrounding the pueblo is largely undisturbed. You easily get a sense of what that Spanish expedition encountered. The question was raised on wether people value that the pueplo is surrounded by undisturbed land. No study has been conducted. But compare it to a time machine, except you do not have to go back in time. If the park is not created, history will be lost forever. If it is not created in the soon and the ranch is sold, then it will be more expensive to create in the future.

The three E's, education, environment, and the economy, a national park solves for all these. That is why there is tremendous support for this legislation. Thank you.

5-1

Society for American Archaeology

Statement on
S. 2254, Pecos National Historical Park

For the Senate Energy Committee
Subcommittee on Public Lands
May 14, 1990

Presented for the Record

Mr. Chairman, the Society for American Archaeology (SAA) supports S. 2254 to establish the Pecos National Historical Park in the State of New Mexico. We are pleased to have this opportunity to present some points of interest and concern for the hearing record.

The Society for American Archaeology is an international scholarly and professional association comprised of both professionals and avocational archaeologists concerned about the discovery, interpretation and protection of the archaeological heritage of America. As such the SAA has had a long partnership with the National Park Service and other Federal agencies with similar missions in their efforts to preserve and promote the natural and cultural resources of America.

Overview of Pecos Legislation

S. 2254 would redesignate the existing Pecos National Monument as the Pecos National Historical Park and expand its boundaries to include the surrounding Forked Lightning Ranch. The lands that are being considered for the proposed Pecos Historical Park contain many of the cultural and natural resources of the nation's unique Southwest culture.

Those resources, along with the site of Pecos itself, epitomize the multi-culturalism that has always characterized and molded the prehistory and history of the region. Trade between Pueblo and Plains Indians, exploration and settlement of the region by the Spanish, the relationships of the Spanish to Native American groups and to the French, the western expansion of the American settlers and the Civil War, all can be illustrated through study of the villages, encampments, stage stops and trails of the current monument and the surrounding Forked Lightning Ranch. The existing monument boundary, however, encompasses only a very limited set of those resources.

Society for American Archaeology
Office of Government Relations
1333 Connecticut Ave NW, Suite 400, Washington DC 20036
Phone: (202) 293-1774 Fax: (202) 293-1782

The inclusion of the entire Fork Lightning Ranch is thus critical to protection and understanding of the existing monument. The ranch is currently for sale. One recent proposal envisioned construction of a condominium and an air strip. The monument is near Santa Fe, and development is already encroaching on the area. If the ranch is sold and developed, the prehistoric and historic integrity and cultural importance of the scenic Pecos National Monument would likely be destroyed.

Today, the natural environment has changed so little that current visitors see a landscape very comparable to that seen by the Spanish and Native American settlers during prehistory and history. That experience - the ability to look across the landscape and envision the cultural diversity and dynamics of the region - is a critical part of a visitor's enjoyment and understanding of the region. That experience will be destroyed if the Forked Lightning Ranch is not protected from development.

With the acquisition of the ranch, the Pecos National Monument (Historical Park) and other prehistoric, historic and natural resources also could be interpreted more fully because of the richer and more diverse cultural context. The dynamics of interaction between the many cultures that have settled or traveled through the region could be exemplified through archaeological studies of change over time in material remains, village patterns and trade relationships. Acquisition and preservation of the Forked Lightning Ranch thus would enable all Americans to more fully enjoy and understand the cultures and history of an area that has played a critical role in molding the development of the Southwest as a whole.

The Society would also like to bring to your attention the need to consider including the Galisteo Basin in this legislation. The Galisteo Basin area contains nine large pueblos covering 15 miles. They date from around 1200 A.D. These important resources are being lost to looting and vandalism. It seems logical that the Galisteo Basin should be included as part of the Pecos National Historical Park since these sites are contemporaneous with Pecos. National park experts have advocated their acquisition and protection since 1935. The Society urges the Committee to consider including Galisteo Basin.

Thank you for the opportunity to present our views on this important bill.

Society for American Archaeology
Office of Government Relations
1333 Connecticut Ave NW, Suite 400, Washington DC 20036
Phone: (202) 293-1774 Fax: (202) 293-1782

STATEMENT OF

Mark Michel, President
The Archaeological Conservancy
Santa Fe, New Mexico

to the

Subcommittee on Public Lands, National Parks and Forests
Committee on Energy and Natural Resources
United States Senate
Washington, DC
May 1, 1990

on

S. 2254 - Pecos National Historical Park
S. 2429 - Mimbres Culture National Monument
and related matters

Mr. Chairman, members of the committee. My name is Mark Michel. I am President of The Archaeological Conservancy with its national headquarters in Santa Fe, New Mexico.

The Archaeological Conservancy, a non-profit corporation, was formed in 1979 to acquire and permanently preserve the best remaining archaeological sites that are located on private lands. In the past ten years, we have acquired, by purchase or donation, more than 60 sites in eleven states. We now have nearly 9,000 members throughout the United States. We receive no federal funds and our activities are supported by private donations.

I want to congratulate Senators Domenici and Bingaman for their foresight and wisdom in introducing the bills being considered today.

The Nation's archaeological resources are rapidly disappearing, primarily due to urban development, modern agricultural practices and to looting. This disturbing trend has accelerated in recent years, and I am happy to be able to testify in favor of legislation that would permanently protect two of the Nation's most important archaeological resources. However, I must add that the federal government still has no plan whatsoever for the protection of the Nation's prehistoric resources that are located on private lands.

A. Pecos National Historical Park

S. 2254 would expand the existing Pecos National Monument by adding about 5,500 acres to the existing 365 acres of the monument. It would also change the name to Pecos National Historic Monument.

The central feature of the monument is the great Pueblo Indian ruins of Pecos which date to about A.D. 1350 and was occupied until about 1838. The pueblo has a rich history that includes an important role in the Spanish colonization of the Southwest.

Since becoming a national monument in 1965, Pecos has been the beneficiary of the great generosity of the late Mr. E.E. Fogelson and his wife, the Academy Award winning actress, Greer Garson. Their large Forked Lightning Ranch surrounds the monument, and they made an additional donation of land to the monument in 1976. They also contributed more than $1 million for the construction of the excellent visitors' center.

During the 1980's, the Fogelson's discussed a major donation of land with the National Park Service. Congress even adopted language in 1988 to permit such a donation. Yet for one reason or another the donation never took place, and now circumstances have changed. Mr. Fogelson has died, and Ms. Garson is no longer in a position to donate.

New Mexicans were shocked in January of this year to pick up their newspapers and learn that the land surrounding the monument, several thousand acres, had been sold to a Florida developer, who planned to build several thousand vacation homes, an airport and a shopping center within sight of the ancient ruins. Fortunately, the overwhelming public outcry as well as other factors caused the deal to collapse. But the ranch is still for sale, and the adjoining Los Trigos Ranch, owned by Mr. Fogelson's son, has been sold for development.

Clearly it is <u>now or never</u> for the federal government to act to permanently protect the important resources surrounding the existing monument.

While the existing monument contains the ruins of Pecos Pueblo and the Forked Lightning Pueblo as well as numerous smaller ruins, it contains only a small fraction of the archaeological sites of the immediate area that have a direct connection with Pecos.

The monument is located in the Pecos River Valley in an area that forms a corridor connecting the Great Plains with the Rio Grande Valley and the American Southwest. It is the best natural passage through the mountains for many miles, and as such it has been used for thousands of years.

While the direct evidence of Paleo-Indian habitation in the area is slim, I have no doubt that a careful examination will produce evidence of the first Americans passing by Pecos, 12,000 years ago. Clearly Archaic hunters passed through the valley 7,500 years ago, and Plains and Pueblo peoples met there to trade for thousands of years.

In 1541, the first Europeans to explore the area, the Coronado expedition, visited Pecos on their way to the Great Plains. The Santa Fe Trail passed there in 1821, linking for the first time the growing United States and the Mexican territories. When Manifest Destiny caused the United States to invade the Southwest, it was through Pecos that General Kearny's army traveled. During the Civil War, Union and Confederate armies met there in one of the decisive battles of the West. In the 1870's the Atcheson, Topeka and Santa Fe Railroad chose Pecos for its path through the mountains, and today the valley remains a major transportation corridor.

Today the view from the impressive ruins of Pecos Pueblo is much like it has been for centuries. There is little visual sign of the 20th Century to mar the beauty of this well traveled corridor. Preserving this historic scene is just one of the reasons to enact this legislation.

The Forked Lightning Ranch is extremely rich in archaeological resources. A limited portion of the 5,500 acres has been surveyed by the National Park Service and the University of New Mexico. These surveys produced a very high number of sites ranging from about 5,500 B.C. to the Civil War. A site density of 1 per 25 acres was found outside the present monument. These include small pueblos as well as other features.

One large pueblo ruin is known to be on the ranch, Dick's Ruin, which dates to about A.D. 1200. It was subjected to very limited testing in 1926 with no resulting professional monograph. What appears to be a 60-100 room pueblo has been recently discovered on the ranch.

All of these sites are extremely important to understanding and interpreting Pecos Pueblo. Prior to A.D. 1325, the population of the valley was widely distributed in many small villages and households. For some still unknown reason, the people began to coalesce into the large pueblos of the valley. By A.D. 1450 only Pecos Pueblo was inhabited.

The ranch also contains substantial Spanish colonial ruins as well as evidence of the Santa Fe Trail, including wagon ruts. In short, it is a vast archaeological storehouse that deserves permanent preservation.

While we strongly support S. 2254, we think it should go further. I have testified before this committee on several occasions over the past decade about the need for the National Park Service to protect cultural resources wherever they are found, not just because they are contiguous to an existing unit.

I strongly recommend that this legislation be amended to include the other most important archaeological resources of the valley as detached units of the park. These would

include Rowe Pueblo, Arrowhead Pueblo and the Hobson-Dressler Ruin, all important parts of the Pecos Pueblo sequence. I also recommend that the ruins of Las Ruedas, an important Spanish colonial village be added. These sites are critical to the Pecos story, and must be permanently preserved. They should be acquired in fee simple.

In addition, I recommend the National Park Service be authorized to acquire scenic and archaeological easements to the northern portion of the Los Trigos ranch. One of the compelling reasons to add the Forked Lightning Ranch to the park is to preserve the historic scene of this great corridor between the Great Plains and Rio Grande Valley. The Forked Lightning Ranch is not large enough to complete this task.

We also support S. 2165 to establish Glorieta National Battlefield. This was the site of a decisive Civil War battle in the West and another integral part of the Pecos corridor.

B. Mimbres Culture National Monument

S. 2429 would establish the Mimbres Culture National Monument in southwestern New Mexico to preserve and interpret for the general public the remains of the Mimbres culture which reached its zenith in the 11th Century.

The Mimbres culture is known throughout the world for its distinctive and stunning pottery that is characterized by abstract designs, many of which contain animal motifs.

Because of the great value of this pottery, which was primarily used as burial offerings, the sites and graves of the Mimbres people have been devastated by looters. Professional looters developed techniques for peeling Mimbres sites with a bulldozer to reveal skeletons and valuable pottery associated with them. The result has been to totally destroy many of the Mimbres ruins and severely damage others.

This bill would give needed protection to the Mimbres culture sites that remain. It would also develop interpretive and visitor education programs to help protect our National heritage.

S. 2429 also establishes an associated Mimbres Culture Archaeological Site Protection System, which would establish a cooperative program with the Bureau of Land Management, U.S. Forest Service, non-profit and private entities to manage and protect the remaining Mimbres resources.

We are particularly pleased with this innovative portion of the legislation. It should be a valuable tool for the permanent preservation of the remaining Mimbres

cultural resources. These sites should be held for research purposes and need not be opened to the public at this time.

S. 2429 restricts research to locate additional Mimbres sites to federal lands. We feel this is a very unwise provision. Archaeological resources need to be protected wherever they are found, and most are on private land. The legislation also needs a vehicle to acquire, preserve and protect additional Mimbres sites on private lands that are threatened with destruction.

C. Other Resources

This year the Congress is considering legislation to add land to Pecos National Monument and to create a new Petroglyphs National Monument. And we strongly support these measures. But I cannot help but point out to the committee that while Pecos and Albuquerque are barely 75 miles apart, there are threatened archaeological resources in between them that contain better examples of rock art than the proposed monument and larger, more important archaeological sites than are being proposed to be added to the national park system by the legislation we are hearing today.

I am referring to the great pueblos of the Galisteo Basin and the spectacular rock art associated with them. There are nine large pueblos spread over about fifteen miles. They date from at least A.D. 1200 to 1800. Most are contemporaneous with Pecos Pueblo. They include the two largest pueblo ruins in the United States, each with 2,000 surface rooms, and perhaps as many as 5,000 altogether (by comparison Pueblo Bonito in Chaco Canyon has a total of 800 rooms). Several contain exciting Spanish colonial materials not duplicated elsewhere, and most played key roles in the Pueblo Revolt of 1680.

All but one are on private land, and they are becoming threatened by development and looters.

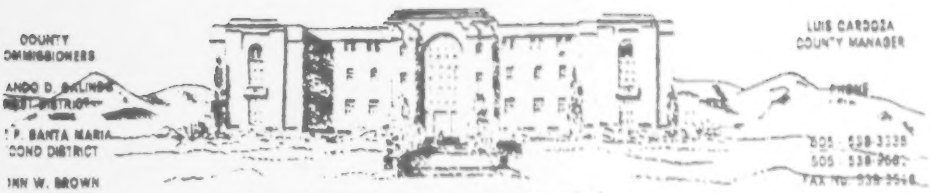
We are today discussing needed additions to the national park system that are in crisis. These additions should have been made years ago before the crisis developed and the prices escalated. It seems only prudent to proceed with the permanent protection of the Galisteo Basin pueblos now, before a crisis develops. In fact, park service experts have advocated protection since at least 1935.

They could be added to Pecos National Historical Park or Petroglyph National Monument for a minimal cost, and cooperative (but legally binding) arrangements made with friendly owners prior to outright fee simple acquisition.

Archaeological resources should be protected where they are found, not just because of the convenience of managers.

There is no need to open every site to the public in the near future, nor is there a need for the sites to be contiguous to an existing unit. But the Galisteo Basin sites are a pivotal part of the Pecos story and contain outstanding examples of rock art. They have immense research potential that is crucial to the Nation's heritage.

I urge the committee to at the very least begin the process of protecting this resource in the legislation we are considering today.



COUNTY
COMMISSIONERS
ANDO D. ATKINS
FIRST DISTRICT
E P. SANTA MARIA
SECOND DISTRICT
JOHN W. BROWN
THIRD DISTRICT
LUIS CARDOZA
COUNTY MANAGER
505 538-3338
505 538-3560
FAX No. 538-3548

Office Of The Grant County Commissioners
P. O. Box 898
Silver City, New Mexico 88062

April 26, 1990

The Honorable Senator Jeff Bingaman
The United States Senate
625 Silver Ave. S.W.
Albuquerque, New Mexico 87102

Dear Senator Bingaman:

The Board of County Commissioners would like to express their appreciation and support of your efforts to establish the Mimbres Culture National Monument in Grant County.

The establishment of this monument will significantly mark and preserve the great prehistoric civilization of the American Southwest. It is important that this most famous prehistoric art be protected and preserved.

We await the successful completion of this project.

Sincerely,

Zeke P. Santa Maria

Zeke P. Santa Maria
Chairman
Grant County Commission

ZPSM:ap

Town of Silver City

P. O. BOX 1188 Telephone 505-538-2731

April 28, 1990

Senator Jeff Bingaman
Attn: D. Vacker
625 Silver Ave., SW, Suite 130
Albuquerque, NM 87102

Dear Senator Bingaman:

Please know that I have reviewed the Bill Text Report for S.1438 as introduced in the Senate, and want to assure you that the Silver City Town Council and the people of Silver City wholeheartedly support your efforts.

The proposed establishment of a Mimbres Cultural National Monument in New Mexico is, we believe, an important legislative action that will go a long way toward preserving a very significant part of this area's history. As well, a visitor's center will enable us to readily share the rich Mimbreno Culture with local people and visitors from other states.

It is our belief that your legislation is representative of the feelings Silver Citizens and many other concerned people hold. We support your endeavor without reservation.

Sincerely,

Kenneth H. Havens, Sr.
Mayor

KHH/cm

cc: Council
Dr. Lopez

Deming Luna Mimbres Museum

Mailing Address:
P. O. Box 1617
Deming, NM 88031

301 S. Silver Avenue
Tel. (505) 546-2382

April 26, 1990

The Honorable Senator Pete V. Dominici,
U. S. Senate, Room 4239,
Dirksen Senate Office Building,
Washington, D.C. 20510

Dear Senator Dominici:

The Luna County Historical Society concurs with the proposal to locate a national museum of Mimbres Indian pottery and artifacts in southwestern New Mexico. We understand the Museum is to be administered by the United States Forest Service. We would appreciate having this letter included in the minutes of the Senate Committee hearing.

It is our opinion that the Museum, as a tourist attraction, should be located on or near Interstate 10, Amtrak and transcontinental bus routes to accommodate visitors to our area.

If the selection committee would be interested in choosing Deming the City Government would provide a desirable site for the Mimbres Museum at a favorable location adjacent to Interstate 10.

Therefore, we respectfully request that you consider Deming as a location for the proposed Museum.

Sincerely,

Ruth Russell, President
Deming Luna Mimbres Museum of
The Luna County Historical Society, Inc.

TS:tm

SILVER SPIKES
P. O. BOX 1079
DEMING, NEW MEXICO 88031

1990 MAY -7 PM 4:03

April 27, 1990

Senator Dale Bumpers, Chairman
Subcommittee on Public Lands,
National Parks and Forests
308 Dirksen Building
Washington, DC 20510

Dear Mr. Chairman:

The testimony below is submitted for your committee to review with respect to the May 1, 1990 hearing on Bill Number S-2429, To Establish the Mimbres Cultural National Monument and to Establish an Archaeological Protection System for Mimbres Sites in the State of New Mexico and for Other Purposes.

Testimony

The Deming-Luna County Silver Spikes, an independent branch of the Deming-Luna County Chamber of Commerce, heartily endorses and supports the concept of a Mimbres Cultural National Monument to preserve and promote an understanding of the artifacts and culture of the Mimbres Indians.

The unique pottery designs and style of art that the Mimbres Indian culture has left for us all to enjoy is certainly remarkable and worthy of the recognition it has received. Unfortunately much of the general recognition and appreciation of the Mimbres culture and art form is localized. Locating the Mimbres Cultural National Monument in the Mimbres Valley and near Interstate Highway 10 would certainly give travelers/visitors more of an opportunity to visit and learn about the Mimbres culture. Traffic along Interstate 10, through Deming, numbered approximately 9,000 vehicles per day during 1989.

A site just off Interstate 10 would provide significant benefits in terms of facilitating access and exposure while still remaining in the Mimbres Valley home of these ancient artisans. The City of Deming has land which would be donated that could provide an appropriate site less than half a mile from the interstate. Similarly, private land owners have considered favorably donations of property for such activities. Luna County and Deming are committed to identifying and hosting such a facility if the Committee favorably considers the establishment of a Mimbres Cultural National Monument.

Thank you for considering this testimony. Please contact me at 505 546-6535 if you have any questions or desire any further information.

Sincerely yours,

Michael C. Byrnes

Michael C. Byrnes, President
Silver Spikes

MCB:ls
pc: Jeff Bingaman
U. S. Senate
505 Hart Senate Office Bldg.
Washington, DC 20510

Pete Dominici
U. S. Senate
Room 4239 Dirksen Senate
Office Building
Washington, DC 20510

APR 26 1990

LUNA COUNTY

Economic Development Corporation

109 EAST PINE (505) 548-6593 / (505) 546-6594 DEMING, NEW MEXICO 88030

Subcommittee on Public Land, National Parks, and Forest
Senator Dale Bumpers, Chairman
308 Dirksen Building
Washington, DC 20510

Dear Mr Chairman

The testimony below is submitted for the public record with respect to the 1 May 1990 Hearing of your subcommittee on Bill Number S-2429, To Establish the Mimbres Cultural National Monument and to Establish an Archaeological Protection System for Mimbres Sites in the State of New Mexico and for Other Purposes.

TESTIMONY

The Luna County Economic Development Corporation enthusiastically endorses and supports the concept of a Mimbres Cultural National Monument to preserve, display, and promote understanding of the artifacts and culture of the Mimbres Indians.

Though the disappearance of these Indians remains a mystery, the influence and legacy of their unique style of art and design continue to grow. In fact, the influence of the Mimbres Indians has probably never been greater than it is today. Textiles such as towels, place mats, table runners, bottle bags, and napkins with Mimbres designs manufactured in Luna County are reaching growing audiences across the nation. Mimbres designs are sprouting everywhere. This should not be surprising from a people, who, to quote a former Curator of Archaeology at the Denver Museum of Natural History, "made some of the most remarkable pottery that has ever been produced."

The associated museum could expose and inform additional millions of people to the cultural and artistic richness the Mimbres represent. It is further suggested that the Committee consider siting such a museum in the Mimbres Valley in or near Deming, New Mexico, to take advantage of the access provided by Interstate -10 and by the Amtrak and national bus service available. In 1989, I-10 traffic near Deming automatically registered was nearly 9000 vehicles a day. In the Las Cruces area less than an hour east of Deming, I-10 traffic exceeds 20,000 vehicles a day. And this traffic has been growing steadily year after year.

A site just off I-10 would provide significant benefits in terms of facilitating access and exposure, while still remaining in the Mimbres Valley home of these ancient artisans. The City of Deming has land which would be donated that could provide an appropriate site less than half a mile from the interstate. Similarly, private land owners have considered favorably donations of property for such activities. Luna County and Deming are committed to identifying and hosting such a facility if the Committee favorably considers the establishment of a Mimbres Cultural National Monument.

Very sincerely,

Von Rue Crawford,
President

ROBERT E. LEWIS
Governor
PESANCIO LASILOO
Lt. Governor
BARTON MARTZA
Hd. Councilman
EDWARD BOWEKATY
Councilman

PUEBLO OF ZUNI
P. O. BOX 339
ZUNI, NEW MEXICO 87327

505-782-4481

VIRGIL WYACO, SR.
Councilman
ANGUS MAHOOTY
Councilman
RITA ENOTE LORENZO
Councilwoman
WILLIAM TSIKEWA, SR.
Councilman

In reply refer to:

APR - 6 1990

Honorable Jeff Bingaman
United States Senate
Washington, D.C., 20510-3102

Dear Senator Bingaman:

On behalf of the Zuni Tribe, I would like to thank you for your assistance and support on our Zuni issues.

I have been advised that an amendment to the Zuni-Cibola National Historic Park, Public Law 100-567, (102 Stat. 2867, October 31, 1988), would postpone the termination date specified in the Act. Should any amendments to the Act be proposed, I would support and recommend the following changes:

SEC. 2. ESTABLISHMENT OF PARK, (c) TERMINATION, as follows:

> (c) Termination - This section shall terminate and shall be ineffective seven years after the date of enactment of this Act unless prior to the end of such seven-year period the Secretary has published a notice of acceptance of a leasehold pursuant to Section 3 of this Act.

SEC. 3. ACQUISITION OF LEASEHOLD, as follows:

> (a) Authority of Secretary - If, no later than six years and six months after the date of enactment of this Act, the Zuni Tribe, after consultation with the Bureau of Indian Affairs, offers to the Secretary a leasehold interest in trust lands of the Zuni Indian Reservation, the Secretary is authorized and directed to accept such leasehold on behalf of the National Park Service and to publish in the Federal Register a notice of such acceptance.

SEC. 3. ACQUISITION OF LEASEHOLD, (b), (1), as follows:

(1) would continue for a period of 25 years, with the option for renewal for a subsequent period of 25 years;

Add new subsection - (5) would provide for an agreement between the Zuni Tribe and the Secretary for the National Park Service to assist in the planning, design and construction of a Zuni Tribal Culture Center. Appropriated funds may be expended to implement the purposes of this Section.

SEC. 8, line 3, as follows:

Change "Tribe, may, from time to time, temporarily close to general public" to "Tribe, shall, from time to time, temporarily close to general public".

If I can be of assistance on this matter or any other issue, please let me know.

Sincerely,

Robert E. Lewis
Governor, Pueblo of Zuni

cc: The Honorable Jeff Bingaman
United States Senate
Washington, D. C. 20510-3102

The Honorable Daniel K. Inouye
United States Senate
Washington, D. C. 20510-1102

The Honorable John McCain
United States Senate
Washington, D. C. 20515-0302

The Honorable Bill Richardson
U. S. House of Representatives
Washington, D. C. 20515-3103

The Honorable Steven H. Schiff
U. S. House of Representatives
Washington, D. C. 20515-3101

The Honorable Joe Skeen
U. S. House of Representatives
Washington, D. C. 20515-3102

The Honorable Morris K. Udall
U. S. House of Representatives
Washington, D. C. 20515-0302

The Honorable Sidney R. Yates
U. S. House of Representatives
Washington, D. C. 20515-1309

Mr. John E. Cook
Regional Director
National Park Service
Southwest Regional Office
P. O. Box 728
Santa Fe, NM 87504-0728

Mr. Sidney L. Mills
Area Director
Bureau of Indian Affairs
Albuquerque Area Office
P. O. Box 26567
Albuquerque, NM 87125-6567

Mr. H. B. Simpson, Jr.
Superintendent
Bureau of Indian Affairs
Zuni Agency
P. O. Box 369
Zuni, NM 87327-0369

ZUNI TRIBAL COUNCIL
Zuni, New Mexico

April 16, 1990

RESOLUTION NO. M70-90-L075

WHEREAS, the Zuni Tribal Council, consisting of the Governor, Lieutenant Governor, and six Tenientes is declared to be the legislative authority of the Pueblo of Zuni by Article V, Section 1, of the Constitution of the Zuni Tribe; and,

WHEREAS, Article VI, Section 1e, of the Zuni Constitution grants the Zuni Tribal Council authority to negotiate with the Federal government on all activities that may affect the Zuni Tribe; and,

WHEREAS, the Zuni Tribal held an election during which a majority of the tribal membership voted in opposition to establishing the Zuni-Cibola National Historical Park; and,

WHEREAS, many tribal members have expressed the desire to re-examine the proposal for establishment of the park having more time for careful consideration by the general membership; and,

WHEREAS, S2430 is a bill currently under consideration by the Senate of the United States which amend the Zuni-Cibola National Historical Park Establishment Act of 1988 and which provides for an enlargement of time in which the Secretary of the Interior may accept a leasehold interest for inclusion in the park by amending section 2(c) by striking "24 months" and inserting "6 years" and by amending section 2(c) by striking "24-month" and inserting "6-years" and by amending section 3(a) by striking "18 months" and inserting "51/2 years", and

WHEREAS, the Zuni Tribal Council feels that the proposed amendments contained in S.2430 will allow the Zuni Tribe and the federal government to more carefully consider various methods for implementation of the Zuni-Cibola National Historical Establishment Act of 1988;

NOW, THEREFORE, BE IT RESOLVED, that the Senate and House of Representatives of the United States of America in Congress assembled are hereby urged to enact S.2430 into law.

RESOLUTION NO. M70-90-L075
Page 2

ZUNI TRIBAL COUNCIL:

Pesancio Lasiloo, Lt. Governor

Barton Martza, Hd. Councilman

Edward Beyuka, Councilman

Virgil Waco, Sr., Councilman

Absent (Excused)
Angus Mahooty, Councilman

Rita Eonita Lorenzo
Rita E. Lorenzo, Councilwoman

Abstained
William Tsikewa, Sr., Councilman

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Zuni Tribal Council at a duly called meeting at Zuni, New Mexico at which a quorum was present and that the same was approved by a vote of 6 in favor and 0 opposed on April 16, 1990.

Robert E Lewis
Robert E. Lewis, Governor
Pueblo of Zuni

APPROVED/VETOED BY:

Robert E Lewis 4-16-90
Robert E. Lewis, Governor Date

APPROVED:

H.B. Simpson, Jr., Superintendent Date 4/16/90

GATEWAY to the ENCHANTED CIRCLE

Town of Taos

OFFICE of the MAYOR

Taos Municipal Building, 114 Armory Street (505) 758-4085
PO Drawer M, Taos, New Mexico 87571
Eloy A. Jeantete, Mayor

April 26, 1990

The Honorable Jeff Bingaman
United States Senator
524 Hart Senate Office Building
Washington, DC 20510

Dear Senator Bingaman,

We would like to extend our most sincere thanks to you for your efforts to obtain the transfer of the Old Forest Service District Office and Warehouse to the Town of Taos. It is important that this historic site, located in our civic plaza area, be kept in the public trust for preservation and continuity in keeping with the architectural and cultural heritage we are seeking to maintain in the Town of Taos.

Adjacent, as it is, to our newly renovated municipal complex, it would be most advantageous to us if this building could be incorporated into our community purpose for a library or for other municipal uses. The transfer of this building would ensure its historic preservation and, at the same time, provide the Town with much needed space at the site of our municipal offices and facilities.

Should we acquire this facility, we would be pleased to work with the U.S. Forest Service to ascertain that they have the office and storage space they require until such time that they have made arrangements to acquire whatever facilities would be necessary for their purposes.

Again, our most heartfelt gratitude to you and your staff for the work you have done to piece the Old Forest Service District Office and Warehouse building with the Town of Taos. Should this transfer be approved, we will be most pleased to incorporate it into our downtown Civic and Municipal plaza as part of the permanent record of our architectural and cultural heritage.

Very truly yours,

Eloy A. Jeantete

Eloy A. Jeantete
Mayor

Senator Dale Bumpers
229 Senate Office Building
Washington D.C. 20510c/o House Subcommittee on Public Lands, National Parks and Forests

Dear Sir, 4/18/90

The purpose of this letter is to inform you of the opposition of the Organ Mountains Conservation Coalition to Senate Bill 2143 unless substantial changes are made in the bill. The purpose of the Bill is to designate an Organ Mountains National Conservation Area(NCA).

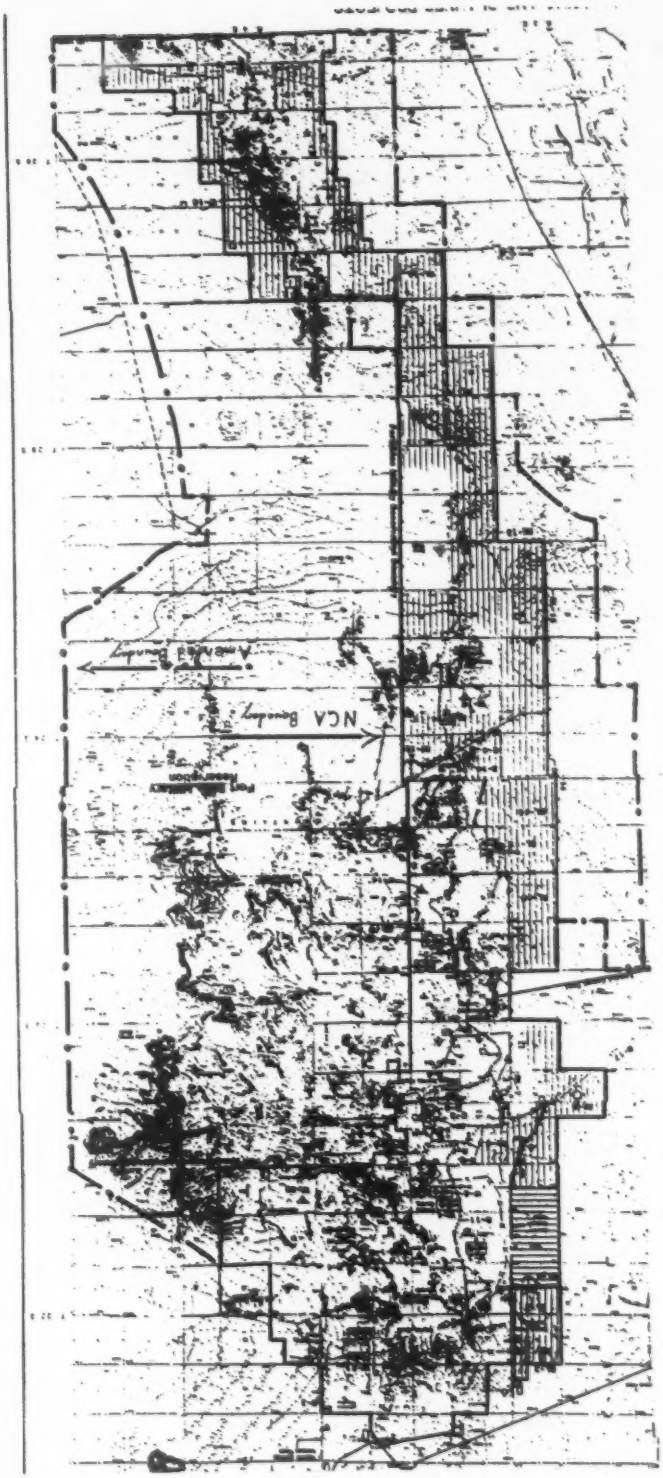
The Organ Mountains are a unique and fragile island in the desert of southern New Mexico. They are critical habitat for several endemic species and are a premier scenic and recreation resource. The Organs are under severe pressure from development and a rapidly increasing local population. The reason we are opposed to the NCA as it is proposed is that no real provisions have been made for the protection or preservation of the area. The proposed NCA boundaries exclude the majority of the Organ Mountains and leaves the remainder under the management of the Bureau of Land Management according to the BLM's current management plan. The only effect of the NCA designation is to create a false impression of protection.

Enclosed is copy of requested amendments to the NCA suggested by a diverse group of individuals and organizations concerned about the future of the Organ Mountains. If the Bill is actually to address Conservation in the Organ Mountains it should include them.

Yours truly,

Don Dearholt

Don Dearholt
Group Chair
Southern New Mexico Sierra Club Group
and
Organ Mountain Conservation Coalition
4891 Quail Run
Las Cruces N.M. 88001


NCA 8
Amended 8

Requested Amendments to the Proposed National Conservation Area Designation Act for the Organ Mountains

The primary purpose of the NCA will be the preservation, restoration,and protection, of the Organ Mountains, their scenic, biological, cultural, and recreational resources.

It is recognized that the majority of the Organ Mountains exist within military jurisdiction and the boundaries of the NCA will be expanded to include all areas shown in the revised map. There will be no developments in the contiquous Organ Mountains presently under military control at elevations above 1400 meters and human impacts will be minimized in this area. The purpose of this is not to interfere with current use by the military but to provide protection until the time that the military's mission is completed in the Organ Mountains. Increased access by the public is not required, no adjustment of military boundaries is requested. There is no significant actual current use of, or substantial developments above the 1400 meter line. There are two mountains entirely within the military boundaries in south-central New Mexico available for any future use the military may require. The military will continue to use only inert projectiles in weaponry directed towards the Organ Mountains.

Management of the Organ Mountains will be in accordance with the Comprehensive Resource Management Plan of April 1989 as revised to comply with the intent of the amended National Conservation Area Act.

It is recognized that proximity to one of the fastest growing populations in the country will require that emphasis be placed on preservation, that public access may need to be limited in sensitve areas, and that future use of existing roads and facilities be placed on a Limits of Acceptable Change Monitoring (LACM) basis and closed if future use levels mandate. Planning will be done for recreation facilities outside of the NCA boundaries in other areas of Doña Ana County and southern New Mexico to alleviate overuse of the Organ Mountains.

Paving of existing roads will be done only if LACM indicates human impacts on the NCA will be decreased by it. The present Baylor Canyon Road will not be paved and control of the easement will be retained by the BLM. A right-of-way easement will be dedicated on the west boundary of the NCA to allow for relocation of the road at such time as paving is required.

Consolidation of boundaries and acquisition of patented mining claims and private inholdings will be given first priority.

Protection of Cultural resources will be given priority.

Trail building substantially above 1400 meters will be done only if LACM indicates human impact on the NCA will be decreased by it. No additional trails will be constructed unless permanent funding for maintenance is obtained. No trail will be built where terrain and soil character indicate that a trail will be subject to damage by erosion or "cutting" of switchbacks.

Exotic species will not be introduced. Grazing of domestic animals shall not be allowed to interfere with the prime purpose of the NCA. Realizing that grazing above 1400 meters is curtailed in the current Comprehensive Resource Management Plan (CRMP), it will also be prohibited in the NCA proclamation. It is anticipated that range improvements currently in progress will allow levels of grazing to be maintained that will not cause financial hardship for the allotment holders, but Multiple Use in the NCA will not have the emphasis on grazing that is customary under normal BLM management. Commercial trapping and hunting will not be allowed in the NCA.

Firearm use for other than hunting will not be allowed. The purpose of this is not to interfere with conscientious firearm users but for the safety of recreation users.

A citizens advisory board will be formed, containing delegates of the main user groups. Their consensus will be required for any substantial changes in the management of the Organ Mountains.

No additional BLM lands will be disposed of in the vicinity of the NCA, especially outside the Extra Territorial Zone. The purpose of this is to maintain the scenic values of the Organ Mountains and to reduce planning and land use problems of the city of Las Cruces.

Wilderness designation will not be addressed or affected by the NCA designation.

1990 APR -5 AM 9 52

Senator Dale Bumpers
229 Senate Office Building
Washington D.C. 20510

Dear Sir, 3/30/90

This letter is being written to express my opposition to bills being introduced by Senator Domenici and Congressman Skeen, SB 2143 and HB 4061, to designate a National Conservation Area (NCA) in the Organ Mountains of southern New Mexico.

I am opposed to the NCA proposal because it does not provide any meaningful protection to the Organs. The Organ Mountains are a premier scenic attraction and a unique biological and recreation resource for New Mexico. They are in critical need of protection from private development and the insensitive management of the Bureau of Land Management(BLM). The proposal for the NCA fails almost totally to address any long term protection for the Organs, instead it makes a lot of meaningless noise and then says that management of the NCA will be provided by the BLM's Comprehensive Resource Management Plan (CRMP) for the Organ Mountains. The CRMP is under attack for its lack of emphasis on protection and its failure to respond to the public opposition of the development aspects of the plan.

The BLM has been trying to change their public image by paying attention to something besides Livestock and Mining. The development of the Organs has been a long ongoing project by the BLM. Their plans for the Organs seem to multiply exponentially. The BLM has ignored their environmental studies, public comment, and good sense. The NCA proposal gives the BLM a free hand to do whatever they wish with the Organs. The CRMP can be changed at their discretion, so even the limited protection provided by the current CRMP is ephemeral. The NCA proposal just gives an appearance of responsibility to the CRMP and provides an illusion of protection for the Organs.

Representative Skeen and Senator Domenici have some of the poorest environmental voting records around. Now the environment is all the rage and they see the NCA as a chance for a little good P.R. I am opposed to this kind of subterfuge on their part. If they really want to make a contribution to the protection of the Organs then they should incorporate the following changes and additions that are recommended by the Organ Mountain Conservation Coalition.

> The primary purpose of the NCA will be the restoration, protection, and preservation of the ecosystems of the Organ Mountains. It is recognized that the majority of the Organs exist within military jurisdiction and the boundaries of the NCA

will include all areas of the contiquous Organ Mountains presently under military control and at elevations above 5000 feet. The purpose of this is not to interfere with current use by the military but to provide protection until the time that the military's mission is completed in the Organ Mountains. Increased access by the public is not required, no adjustment of military boundaries is requested. There is no significant actual current use of, or substantial developments above the 5000' line. There are two mountains entirely within the military boundaries in south central New Mexico available for any future use the military may require. The military will continue to use only inert projectiles in any weaponry directed towards the Organs.

Management of the Organ Mountains will be in accordance with the Comprehensive Resource Management Plan of April 1989 or as amended.

It is recognized that proximity to one of the fastest growing populations in the country will require that emphasis be placed on preservation, that public access may need to be limited in sensitve areas, and that future use of existing roads and facilities be placed on a Limits of Acceptable Change Monitoring (LACM) basis and closed if future use levels mandate. Planning will be done for recreation facilities outside of the NCA boundaries in other areas of Doña Ana county and southern New Mexico to alleviate overuse of the Organ Mountains.

Paving of existing roads will be done only if LACM indicates human impacts on the NCA will be decreased by it. The present Baylor Pass Road will not be paved and control of the easement will be retained by the BLM. A right of way easement will be dedicated on the west boundary of the NCA to allow for relocation of the road at such time as paving is required.

Consolidation of boundaries and aquisition of patented mining claims and private inholdings will be given first priority.

Protection of Cultural resources will be given priority.

Trail building substantially above 5000' will be done only if LACM indicates human impact on the NCA will be decreased by it. No additional trails will be constructed unless permanent funding for maintenance is obtained. No trail will be built where terain and soil character indicate that a trail will be subject to damage by erosion or "cutting" of switchbacks.

Exotic game species will not be introduced. Grazing of domestic animals shall not be allowed to interfere with the prime purpose of the NCA. Realizing that grazing above 5000' is curtailed in

the current Comprehensive Resource Management Plan (CRMP), it will also be prohibited in the NCA proclamation. It is anticipated that range improvements currently in progress will allow levels of grazing to be maintained that will not cause financial hardship for the allotment holders, but Multiple Use in the NCA will not have the emphasis on grazing that is customary under BLM managment. Commercial trapping and hunting will not be allowed in the NCA.

Firearm use for other than hunting will not be allowed. The purpose of this is not to interfere with conscientious firearm users but for the safety of recreation users.

A citizens advisory board will be formed, containing delegates of the main user groups.

No additional BLM lands will be disposed of in the vicinity of the NCA, especially outside the Extra Territorial Zone. The purpose of this is to maintain the scenic values of the Organs and to reduce planning and land use problems of the city of Las Cruces.

Wilderness designation will not be addressed or affected by the NCA designation.

If the Bills for the designation of the Organs as a National Conservation Area can not be changed to incorporate the above and really put some meaning in "Conservation" then they should be allowed to die a quiet death.

Yours truly,

James L. Graham

James L. Graham
P.O. Box 986
Mesilla Park N.M. 88047
505-521-3537

1990 APR -8 PM 6:24

4/2/90

Dear Sir:

It has been brought to my attention that a bill has been introduced to the House of Representatives, which shall supposedly create a National Conservation Area in the Organ Mountain. My information source claims that this bill in actuality does nothing to protect the land; it leaves it in the hands of the Bureau of Land Management. From personal experience, I know that the local BLM is not truly interested in keeping public lands public, only in reducing the time and paperwork spent on such lands. As such, I feel the lands would not be secure under the BLM's management. Please, consider an alternate method of guarding these sensitive areas - preferably by more sensitive people. Thank you.

Sincerely,

Michelle Skigen
P.O. Box 111
Mesilla Park, NM 88047-0111

NMAC
NEW MEXICO
ARCHEOLOGICAL
COUNCIL

April 27, 1990

Senator Jeff Bingaman
524 Hart Building
Washington, D.C. 20501

Dear Senator Bingaman:

The New Mexico Archaeological Council would like to express our support for S. 2014, the "Chama River Gateway to the Past Interpretation and Visitor Education Act of 1990", sponsored by you and Senator Domenici. We believe this legislation recognizes the educational and recreational value of New Mexico's rich cultural heritage in a manner that will benefit the people of the United States.

In addition, we support the involvement of the U.S. Forest Service and the Bureau of Land Management in this program. The involvement of these Federal agencies in education, recreation, preservation, and resource conservation activities is consistent with the ethic embodied in the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.). We encourage further efforts of this kind.

Lastly, we would like to stress the importance of addressing the potential long term impacts of visitation on the cultural resources. Archaeological sites are particularly vulnerable to disturbance of both the intended and unintended variety. Provisions must be included in this legislation to ensure that site visitation will not lead to the destruction or damage of these invaluable and nonrenewable cultural resources.

Again, we support this legislation, and we ask that you recommend its passage.

Sincerely,

Cherie A Scheik

Cherie Scheik
President
New Mexico Archaeological Council

cc: Senator Pete Domenici
Congressman Bill Richardson

GHOST RANCH LIVING MUSEUM

Ghost Ranch Living Museum
Abiquiu, New Mexico 87510
505 685-4312

SENATOR BINGAMAN
ALBUQUERQUE, N.M.

1990 APR 26 AM 8:57

April 24, 1990

The Honorable Jeff Bingaman
United States Senator
District Office
625 Silver Avenue, S.W.
Suite 130
Albuquerque, New Mexico 87102

Attn: David Vackar

Dear Senator Bingaman:

This letter is to let you know that the Board of Directors of the Ghost Ranch Living Museum is 100% in favor of the Forest Service "Gateway to the Past" project. We have been involved since inception and feel that the concept of a central location to tell the story of the history of Chama River Valley is an excellent approach. Since the Ghost Ranch Living Museum is an environmental education center, this will be a wonderful way to interpret the cultural resources and heritage of the Chama River Valley.

I understand that the Picuris Pueblo and the Jicarilla Apache Tribal officials would very much like to be included in the plan. Santa Clara Pueblo Governor, Calvin Tafoya, is also very much in favor of this project.

I am sure that the El Rito residents had a legitimate concern in the preservation of the archeological sites but that situation, I believe, has been resolved.

The Honorable Jeff Bingaman
April 24, 1990
Page Two

The educational value of the culture, legends, and respect for our ancestors to our young children must certainly overcome any objections we might have for increased tourist traffic in those areas.

Very truly yours,

Roy E Huddle Jr

Roy E. Huddle, Jr.
President, Board of Directors

REH/ba

State of New Mexico
County of Otero
Alamogordo, New Mexico 88311-1749

April 24, 1990

Honorable Jeff Bingaman
United States Senator - New Mexico
5313 Dirksen Senate Office Building
Washington, D.C. 20510

Re: Senate Bill 2432 - Payment In Lieu of Taxes on Lands Co-managed by the Bureau of Land Management and the Secretary of the Army

Dear Senator Bingaman:

We have received information that you have presented the above referenced bill to the Senate for consideration. Otero County heartily supports the measure since we have lands that fits the description within the county known as McGregor Range. The county receives no grazing fees or any other revenue from these lands, yet it becomes necessary for us to work the roads and perform other public services on the range.

Any assistance we may be in support of this measure will be forth coming upon your request.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
OTERO COUNTY, NEW MEXICO

Joe W. Chambers

Joe Chambers
Chairman

JC/vf

STATE OF NEW MEXICO
OFFICE OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

GARREY CARRUTHERS
GOVERNOR

VILLA RIVERA, ROOM 101
228 EAST PALACE AVENUE
SANTA FE, NEW MEXICO 87503
(505) 827-8320

HELMUTH J. NAUMER
CULTURAL AFFAIRS OFFICER

THOMAS W. MERLAN
DIRECTOR

TESTIMONY TO THE
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
MAY 1, 1990

Senator Bingaman and Members of the Committee:

I am Thomas W. Merlan, New Mexico Historic Preservation Officer. I am pleased to have this opportunity to testify for the record on S. 2429, S. 2254, S. 2165, S. 2014 and S. 2430.

S. 2429 is a bill to establish the Mimbres Culture National Monument and to establish a protection system for Mimbres sites in the State of New Mexico.

The continuing grave robbery, vandalism, destruction and looting for profit of the archeological resources associated with the Mimbres culture have now gone so far as to make it likely that within a few years the sites of this great civilization will be completely wiped out. This is a cause for grave concern. It is a situation reflecting deep discredit on the State of New Mexico. All of us are in some measure responsible for allowing this crime against history.
S. 2429 is not a panacea; it will not bring back what has been lost. It will, however, establish a strong public presence dedicated to the understanding and preservation of the Mimbres culture and to public education aimed at inculcating a spirit of preservation, of conservation, and of respect for a great people who have enriched the world with their art. It should also be remembered that the descendants of the Mimbres people (culturally and possibly genealogically as well) still live in New Mexico. To deny all connection with a great culture which we can and should claim as part of our past and part of our society would be shortsighted and immoral. The Mimbres Culture National Monument can contribute to our society and to our economy as well in an enlightened spirit of history and community.

S. 2429 is an approach already tried in P.L. 96-550 (Chaco Culture Archeological Protection Act). That statute (P.L. 96-550) has advanced research and fostered cooperation among public and private entities and landowners. It has not worked perfectly, but it has served to organize efforts to preserve, protect and interpret another great civilization (one very closely contemporary with the Mimbres and probably associated with it in important ways). This established approach deserves emulation.

S. 2254 is a bill to establish the Pecos National Historical Park.

This bill recognizes that the existing Pecos National Monument must grow and change in order to preserve adjacent lands from incompatible and destructive development. The bill will benefit the people of the village of Pecos and

Testimony to the
Senate Committee on Energy and Natural Resources
May 1, 1990
Thomas W. Merlan
(continued)

northern New Mexico, and the nation. The confrontation of public and private interests in this area will be resolved one way or the other. Either the Monument will become a Park preserving an area whose natural beauty and cultural values we have taken for granted up to now, and continuing to benefit the region economically, or the Monument will lose, gradually or suddenly, its natural and cultural context. This dilemma recalls the problem confronted by the Congress over the Manassas Battlefield. In that case, the Congress commendably opted to preserve and expand the public interest and domain and thereby to serve the larger interest of a region and of the whole country.

S. 2165 is a bill to establish the Glorieta National Battlefield.

The Glorieta Battlefield is the site of a significant battle of the Civil War. Here again, a choice has to be made between public and private interests. Continuing private development (with little regard for the historical importance of the area) will make it infeasible, in the very short term, to preserve this area for the public.

S. 2014 is a bill to provide interpretation and visitor education on the cultural resources of the Chama River Gateway Region of northern New Mexico.

This bill capitalizes on a rich array of cultural resources. The bill has been criticized as fostering increased visitation to a rural area. I certainly understand these criticisms, but I believe they don't look far enough. S. 2429, 2254 and 2165 all exemplify the problems of acting when resources are severely threatened by looting and destruction or by development. It is far better to act now, to take advantage of rich cultural resources which are one of the greatest assets of New Mexico, to base a program of regulated development on those resources, rather than to wait until the resources must be dealt with as a problem rather than an opportunity.

S. 2430 is a bill to extend the time during which the Secretary of the Interior may accept a leasehold interest for inclusion in the proposed Zuni-Cibola National Historical Park. I support the bill, which in no way infringes the prerogatives of the Zuni Tribe. I believe that we should create a further opportunity to discuss this issue with the Zunis.

A common thread runs through all these bills: the conviction that, as the New Mexico Legislature said in 1969, New Mexico's cultural and historic resources are one of its most important assets (Section 18-6-1 NMSA 1978). These bills outline a program to preserve and protect irreplaceable resources and to take advantage of them in ways appropriate to our contemporary economy. Some important sectors of New Mexico's economy, for example the oil and gas industry, expand and contract in such a way as to necessitate difficult periodic adjustments. Heritage tourism continues to enjoy steady growth, and should be fostered by the proposed legislation.